



BAKER RIVER PROJECT RELICENSE

Terrestrial Resources Implementation Group Technical Meeting

October 26th, 2006 (9:00 a.m. - 2:00 p.m.)

**U.S. Fish and Wildlife Service Office, room 223
510 Desmond Drive
Lacey, WA 98503**

Conference Call Line: 1-866-297-7238, ID: 225370, Password: 8384 until 12:30pm, then
ID: 3437271, Password: 0157 after 12:30 until 2pm.

Please tell Tony (425-462-3553 (w) or 206-276-1204 (c)) if you plan to call into meeting

AGENDA

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| 1. Review notes/agenda/action items from November 10th, 2005 meeting |
| 2. Review recent BRICC meeting activities, FEIS issuance
Comments and issues on FEIS? |
| 3. Preparation for License issuance, implementation
Develop outline for 2007 implementation activities |
| 4. Revisit draft TRMP
Develop process for finalizing TRMP within 6 months of license issuance |
| 5. TRIG teamlet updates, activity over last 12 months
Botanical Teamlet update
Elk Teamlet/land acquisition update |
| 6. Other? |
| 7. Evaluate meeting and set date and agenda for next meeting, including 2007 meeting dates |

Baker River Project License Implementation

Terrestrial Resource Implementation Group Final Meeting Notes

U.S. Fish and Wildlife Service Office, room 261
510 Desmond Drive
Lacey, WA 98503

October 26, 2006
9:00 am - 2:00 pm

FINAL MEETING NOTES

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

PRESENT

Tony Fuchs and Jacob Venard (PSE); Kathy Smayda (Smayda Environmental Associates); Lou Ellyn Jones (USFWS); Brock Applegate (WDFW); Patrick Goldsworthy (NCCC); Bob Nelson (RMEF); Marty Vaughn (Biota-Pacific); Don Gay (by phone) and Jamie Riche (PDSA Consulting).

NEXT MEETING DATES

TRIG Meetings: December 7, 2006, 9 am – 2 pm, *at USFS Mountlake Terrace office*

Through 2007, we're planning on meeting the first Thursday of each month:

Jan. 4 (*USFS Mountlake Terrace office*), Feb. 1, Mar. 1, Apr. 5, May 3, June 7, July 5 (*possible reschedule to July 12th*), Aug. 2, Sept. 6, Oct. 4, Nov. 1, Dec. 6

Elk Teamlet Meeting: January 25, morning (*time and location TBD*)

Osprey/Loon Teamlet: January 25, afternoon (*just after Elk Teamlet meeting, same location*)

AGENDA TOPICS

Review Notes, Agenda
BRICC /FEIS Update, Skagit County Update
2007 Scheduling, Prep for license issuance
Revisit Draft TRMP
Elk and Botanical Updates
Evaluate meeting, Set next meetings & agenda

NEW ACTION ITEMS

- All – Note Patrick’s new email address: goldsworthy.N3C@clearwire.net
- All – Review your information on the TRIG contact information sheet and email Tony any changes and/or additions
- Brock – Follow up with the WA Heritage Program regarding the TRMP language Lauri sent them
- Brock – Look into status of the Nooksack Herd plan (WDFW, Tribes, PSE), propose a “meeting of the minds” and update Tony
- Chris – Bring information about historical Nooksack elk lands and telemetry locations to Dec. 7 TRIG meeting
- Chris & Mike D – Bring information about current land use / elk distribution to Dec. 7 TRIG meeting so we can identify areas that are good candidates for land acquisition
- Don – Update us on plans for Articles 515 – 517 at Dec. 7 TRIG meeting
- Don – Email Tony with room availability for Dec. 7, Jan. 4, and Jan 25 meetings
- Jacob – Coordinate with Tony & Arnie to schedule a joint ARG/TRIG meeting for Aquatic Riparian Habitat
- Jamie – Ask Connie to send Patrick the latest consolidated meeting schedule at his new email address.
- Lou Ellyn – Coordinate an all-day Forest Service / PSE meeting to work on the BiOps (one topic: can we condition a collection agreement?)
- Tony – Talk with Cary to facilitate a high priority on this USFS / PSE BiOps meeting
- Tony – Update the TRIG contact information sheet and email to the group
- Tony – Send Don and Brock information about the appraiser Marty recommended
- Tony – Explore PSE’s thoughts about a conservation easement with management options
- Tony & Kathy – meet with Baker maintenance folks to discuss current vegetation mgmt. activities
- Tony – Work with Marty and Kathy to incorporate changes to Dec. draft of TRMP in advance of the January TRIG mtg.
- All - Review the December draft of the TRMP for discussion at the January 4th TRIG meeting

PREVIOUS – STILL RELEVANT - ACTION ITEMS

- All – In reviewing the TRMP land acquisition sections, consider how to list primary and secondary decision criteria.
- Lauri (now Brock) – Run proposed relevant TRMP language by Washington Heritage Program rep.

OSPREY NESTS / SKAGIT COUNTY UPDATE

PSE received a HPA (Hydraulic Project Approval) through the state for osprey and loon platforms. All the osprey platforms will be placed on Lake Shannon, and the plan is to place one more this spring. Placement locations for the loon platforms have not yet been determined.

BRICC / FEIS UPDATE

We discussed Don’s suggestion that the TERF (Terrestrial Enhancement and Restoration Fund) money be earmarked for the reintroduction of spotted frogs to the basin. This would encourage FERC to allow that fund within the license. FERC will be looking for project nexus.

The Cushman circuit court ruling also has implications for us. In short, the court confirmed that mandatory 4(e) conditions are in fact mandatory – not at FERC’s discretion. Furthermore, the court mandated that since FERC doesn’t impose deadlines on itself, it doesn’t have the authority to impose deadlines on other federal agencies. Therefore, FERC doesn’t have authority to impose a time limit on 4(e) conditions. The court also reasserted Escondido, which had been undermined over time.

We don’t know when the license will be issued, but we believe Steve Hocking is writing it now. Steve has indicated it is unlikely for the license to be issued before the Biological Opinions come out.

BIOLOGICAL OPINIONS

Lou Ellyn, Tony and Bob discussed the importance of USFS and PSE coming together soon – probably for an all-day meeting – to work on the Biological Opinions. Lou Ellyn will work to coordinate a meeting and Tony will have conversations on PSE’s side to emphasize the importance of doing this as soon as possible.

4.0 SCHEDULES

Tony walked us through the 4.0 schedule of activities and we discussed the likely meeting requirements to get all this work done (handout: FERC Implementation TRIG meeting needs for 2007).

- **4.1, Article 501 – Terrestrial Resources Management Plan:** We have completed sub-tasks one through three. At this time, we are at the point of preparing the Final TRMP
- **4.2, Article 502 – Forest Habitat:** We are starting sub-task three, which will continue concurrently to preparation of final TRMP
- **4.3, Article 503 – Elk Habitat:** Work task 503-1 not applicable, since we are already looking at alternative properties. Task 503-2, we are at sub-task three. Task 503-3, we are currently between sub-tasks two and four as we continue to work toward acquisition.
- **4.4, Article 504 – Wetland Habitat:** Subtasks one and two are complete; sub-task three will continue concurrently to preparation of final TRMP.
- **4.5, Article 505 – Aquatic Riparian Habitat:** Viewed as a joint effort between ARG & TRIG. The current schedule is to have a draft Aquatic Riparian Protection and Enhancement Plan (ARP) completed in 2007, with a final plan in 2008 in advance of our first infusion of enhancement money.
- **4.6, Article 506 – Osprey Nest Structures:** Work task 506-1, sub-tasks one and two are completed, sub-task three will continue concurrently to preparation of final TRMP. Task 506-2, you’ll see implementation in Feb / March ’07, likely putting up one more platform. Also, PSE will probably be doing maintenance (probably during high water in summer months) on the nine platforms already there to ensure usability. Access is limited by water height on Lake Shannon (it is easy to install platforms when the water is low, but difficult to access for maintenance unless water is high).
- **4.7, Article 507 – Loon Floating Nest Structures:** For work task 507-1, the loon platforms must be on the lake and operational by April 1, 2007. Tony hopes to see final design by the end of January. For work task 507-2, we will establish monitoring programs by the end of March 2007.
- **4.8, Article 508 – Noxious Weeds:** There will be some necessary updating (particularly the parts related to 2007), but we have largely completed the subtasks through the second review draft IWMP to the TRIG within the current TRMP.
- **4.9, Article 509 – Plants of Special Status:** Same as 5.8, Article 508.
Note: We discussed the project boundaries for purposes of the Biological Opinions, and the distinction between weed and vegetation management. Vegetation management on project facilities is

completed on an as-needed basis. Tony and Kathy will meet with the maintenance folks to discuss current activities.

- **4.10, Article 510 – *Carex flava*:** Same as 5.8, Article 508. There may be additional activities that go beyond 2007; we don't know what those might be.
- **4.11, Article 511 – Decaying and Legacy Wood:** Subtasks one and two are complete; sub-task three will continue concurrently to preparation of final TRMP. Tony is proposing a meeting in June (Marty to lead?) to determine standards, fill in the procedures and update the TRMP.
- **4.12, Article 512 – Bald Eagle Night Roost Surveys:** Work task 512-1, Subtasks one and two are complete; sub-task three will continue concurrently to preparation of final TRMP. Work tasks 512-2 will entail field trips late summer 2007 and roost surveys will continue through 2010.
- **4.13, Article 513 – Bald Eagle Management Plans:** Work task 513-1, Subtasks one and two are complete; sub-task three will continue concurrently to preparation of final TRMP. Work task 513-2 will be started in 2007 and additional plans would be developed for any night roosts found through 2010. If nests are found on land we have no control over, we may consider the option of using Aquatic Riparian Land Acquisition money to purchase or get easement on eagle roost land.
- **4.14, Article 514 – Use of HEP:** Subtasks one and two are complete; sub-task three will continue concurrently to preparation of final TRMP. Tony noted that there are three HEP periods throughout the license.
- **4.15 – 4.17, Articles 515 through 517 (Late Seral Forest Growth, Mountain Goat, and Grizzly Bear Road Management):** Tony indicated that PSE will set up a collection agreement with USFS for these activities. We asked Don to give us an update at a future meeting.

BOTANICAL TEAMLET UPDATE

Kathy reported that the botanical teamlet was moving forward with the weed management plan (chapter eight of the TRMP) due to the number of sites involved and the need to move quickly once the license is issued. The draft TRMP from last December includes a very detailed weed management plan with all the sites and species. The team developed a prioritization scenario using the forest service prioritization as a basis and modified it to meet our site needs. Based on that, they identified the highest priorities and developed a schedule.

Carex flava

In the last five months, we have had some rare plant surveys completed for the FSC (floating surface collector) project. PSE sent out an RFP for the base-mapping of the *Carex flava* site, and awarded the contract to the Carex Working Group who spent four days mapping the *Carex* stands and reed canary grass stands using non-random transects to measure the location of each plant. They found more than 500 plants, significantly more than anticipated. Surprisingly, *Carex* was not found in some of the other areas we would have thought ... which means that as far as we know, this site is the only stand west of the cascades (except for Alaska and maybe BC). Joetta is digitizing the transect locations, entering the information into a database, and mapping the *Carex flava* and reed canary grass stands. The draft report will be done in November.

Before we could conduct the survey, the team needed to develop the methodology for counting so future counts could be repeatable for comparison over time. Once the license is issued, a 20% reduction would trigger a propagation program.

Plants of special status

The general management plan is chapter nine of the TRMP. The TRMP does not include the individual site management plans that have been reviewed by the botanical teamlet. We'll be making updates to reflect the recent changes to the Forest Services' Survey and Manage species list. Most of the sites are not in areas facing a lot of potential risk, with few exceptions. Ex: "Goblin's Gold" moss, which is close to a campground road, but has biological barriers between itself and the road, so has been noted in case future changes to the road or campground encroach on the mos.

ELK TEAMLET

We held meetings in Dec, March, May and August, and started with an attempt to acquire the "initial parcel" we were interested in. RMEF made contact on our behalf and learned that while the owner may be interested in conservation easements at some point in the future, he was not interested in selling. In the meantime, we began looking at alternative properties. Tom Macy became our RMEF contact.

We held a meeting with WDFW to talk with us about elk damage issues and their interests re: our land purchase(s). Based on that, we identified the areas we're most interested in and found a few properties that would meet our needs. The owners of those properties have expressed interest in a swap, so we are also looking at identifying land we can buy to swap for the land we want. In the meantime, we are planning to get information on the land and timber value for the lands we're interested so we know what is reasonable for any potential swap.

The owner of the "initial parcel" passed away several months ago, and the property is still in probate. At this point, it has become clear that Tom Macy (RMEF) doesn't have as much time available for our project as we need, so Tony and Bob are looking for ways to speed the process along.

The elk teamlet spent a lot of time discussing needs, interests and priorities for land acquisition. The team has spent a small amount of money so far on RMEF services and pre-acquisition surveys. PSE is still working on developing their project budget tracking process; Tony will bring a budget report to the teamlet as soon as one is available.

We discussed our strong interest in having the elk teamlet review historical elk lands and telemetry locations, as well as look at current land use and elk distribution so we can identify areas that are good candidates for land acquisition. Once the license is issued, we'll have a little less than \$2,450,000 ... and we're concerned that's not going to buy as much land as we had hoped. We discussed conservation easements, possibly with some management options, and other possible "creative" options. Regardless, land and timber values are going up and availability is shrinking, so moving fast is in our best interest.

HANDOUTS

Agenda

TRIG November 10, 2005 Meeting Notes

TRIG contact information sheet

FERC license implementation TRIG meeting needs for 2007

4.0 Implementation schedules (10/25/06)

PARKING LOT

Develop protocol for pre-acquisition field visit
Easement vs. Ownership relative to license articles

MEETING EVALUATION

What Went Well

Food
We appreciate having Lou Ellyn and Lou Ellyn appreciates us :)

What to Do Differently

Room temperature
Short on attendance - Missed a lot of people
No tribal representation

AGENDA FOR NEXT TRIG MEETING

December 7, 2006, Mountlake Terrace

9:00 a.m. - 2:00 p.m.

1. Welcome, review notes, action items, agenda
2. BRICC/FEIS/BiOp/License update
3. Land acquisition update
4. Articles 515 – 517 update/refreshers
5. Other?
6. Evaluate meeting, set next meeting date and agenda

January 4, 2007, Mountlake Terrace

9:00 am – 2:00 pm

1. Welcome, review notes, action items, agenda
2. TRMP Review (Tony, please bring laptop and projector)
3. Other?
4. Evaluate meeting, set next meeting date and agenda