

**Final Meeting Notes
Lewis River License Implementation
Aquatic Coordination Committee (ACC) Meeting
March 10, 2005
Ariel, Washington**

ACC Participants Present (17)

Arnold Adams, PacifiCorp
 Jeff Breckel, The Lower Columbia River fish Recovery Board
 Craig Burley, WDFW
 Michelle Day, NOAA Fisheries
 Brent Denham, PacifiCorp
 Diana Gritten-MacDonald, PUD No. 1 of Cowlitz County
 Erik Lesko, PacifiCorp
 Jim Malinowski, Fish First
 Kimberly McCune, PacifiCorp
 Todd Olson, PacifiCorp
 David Russell, Cowlitz Tribe
 Will Shallenberger, PacifiCorp
 Frank Shrier, PacifiCorp
 Eugene Stagner, US Fish and Wildlife
 Brett Swift, American Rivers (via teleconference)
 Karen Thompson, US Forest Service
 John Weinheimer, WDFW

Calendar:

March 15, 2005	FERC Tour	Merwin, WA
March 22, 2005	Merwin Trap Engineering Subgroup Meeting	Olympia, WA
April 13, 2005	TCC Meeting	Merwin, WA
April 21, 2005	ACC Meeting	Merwin, WA

Assignments from March 10th Meeting:	Status:
ACC: Decision on whether the 2005 Aquatics Fund should be distributed this year prior to finalization of the Funding Process Document.	
McCune: Email copy of Draft Habitat Preparation Plan to all ACC representatives and interested parties, and post on Lewis River Implementation website.	Complete – 3/11/05
McCune: Email copy of Swift Bypass Reach Implementation Projects to all ACC representatives and interested parties, and post on Lewis River Implementation website (password protected).	Complete – 3/11/05 & 3/21/05
McCune: Email copy of Final “revised” Meeting Minutes for 2-9-05 to all ACC representatives and interested parties, and post on Lewis River Implementation website.	Complete – 3/11/05
Olson: Add specific language to the Ground Rules to address confidentiality situations and how the ACC is going to deal with them.	Ongoing

McCune: Incorporate Ground Rules changes and email to ACC representatives and interested parties prior to the next regularly scheduled meeting.	Complete – 4/06/05
McCune: Add Shrier’s cell number to ACC/TCC contact list and distribute to all ACC representatives and interested parties.	Complete – 3/18/05
McCune: Investigate options of improving teleconferencing at Merwin, if any, and report back to the ACC.	Complete – 4/04/05
McCune: Add Michelle Day to invite via email for Fish Passage Engineering Subgroup meeting scheduled for March 22, 2005.	Complete – 3/11/05
McCune: Email Lewis River Aquatics Fund Process handout to Brett Swift.	Complete – 3/11/05
McCune: Post Agendas, final meeting notes, and meeting materials on Lewis River Implementation website.	Complete – 3/21/05
McCune: Attach an appendix to the Ground Rules that lists the designated representatives	Complete – 3/18/05
McCune: Create similar meeting notes format to that of Lewis River Licensing meetings	Complete – 3/28/05
Olson: Continue developing the Aquatics Funding process.	Ongoing

Assignments from Feb 9th Meeting:	Status
McCune: Email copy of Ground Rules to all interested parties both present and non-present.	Complete
Shrier and Olson: Search out groups that have established similar funding processes and present draft ideas to the ACC for consideration.	Complete
ACC participant: Notify PacifiCorp and Cowlitz PUD of their representatives for the Fish Passage Engineering Subgroup.	Complete

Opening and Review of Agenda

Review of agenda for the day. Frank Shrier (PacifiCorp) asked for any other additions to the agenda. No additions from ACC attendees. Shrier announced to ACC attendees that Brett Swift (America Rivers) was on the teleconference line.

Draft Habitat Preparation Plan

Erik Lesko (PacifiCorp) presented the draft Habitat Preparation Plan (Plan) to ACC attendees. The Plan covers the topic of moving fish, and the components are:

- Stock Selection
- Collection Methods
- Transportation Number
- Transport Vehicles
- Schedule
- Release Points
- Pathogen Screening

The Plan was developed with input from the WDFW hatchery folks. Lesko further explained that since this program will be in effect for a number of years, an annual Plan will be presented to the ACC each year for review and modification, if necessary. He indicated that PacifiCorp expects 2,000 Coho will be transported in 2005. The Swift Boat Ramp is the obvious choice for

a release point. In addition, Eagle Creek or Swift Dam are alternates, with Muddy River Bridge and Curly Creek as third alternates. The Plan needs to be finalized by May, 2005.

Once the Plan is available to all ACC participants, members have 30-days to review the plan and provide comments per Consultation.

Swift Bypass Reach Implementation Projects, Upper Release Points

Will Shallenberger (PacifiCorp) presented a PowerPoint presentation of the Swift Bypass Reach Implementation Projects to the ACC attendees. These projects are in response to SA 6.1. Identified are two points of release:

- Upper Release Point
- Canal Drain

Shallenberger further demonstrated to the attendees on a large wall map the key elements of the release points. Each attendee received a handout which outlined specific total annual release quantity, timing, discharge, and location of releases.

According to the SA, the Upper Release is to be determined by 11-30-2005, and construction is to take place within six (6) months after issuance of the New License. Shallenberger outlined the upper release project elements:

- Discharge pipe from canal to bypass reach
- Automated valve to maintain consistent flows
- Dissipation structure at outlet
- Electric fish barrier
- Flow monitoring
- Plunge pool grading to elevation 593'
- Spillway release

Shallenberger presented an aerial photo of the Upper Release point area including a proposed structure site. A topography map of the same area was also provided. Shallenberger further described the company's proposal including the plunge pool grading, existing plunge pool elevation, revised plunge pool elevation, maximum canal level and limited head to move water from canal to bypass reach.

Shrier addressed the group and asked for any thoughts on the release point location.

Jim Malinowski (Fish First) said to leave it up to the utilities to decide the location.

Diana Gritten-MacDonald (Cowlitz PUD) said that at this point Cowlitz PUD is not prepared to agree to a release point location.

Michelle Day (NOAA Fisheries) said not prepared at this time to decide.

Todd Olson (PacifiCorp) requested initial feedback only is being requested. Does this sound like a good idea?

The group then discussed maintenance problems if there was a water spill event, water temperature differentials, preferred channel location, plunge pool depth, elevations, and water flows.

Brent Denham (PacifiCorp) illustrated on the whiteboard a side view of the channel, plunge pool and the excavation area(s). Denham further expressed that he wants to flush out ideas/comments as early as possible which is the desired location so engineers can begin working on drawings.

<Break: 10:15am>

<Reconvene: 10:30am>

Swift Bypass Reach Implementation Projects, Upper Release Points (cont'd)

Shrier expressed to ACC attendees that he would be happy to arrange a site visit, if needed.

Day communicated to group that she will be providing comments for PacifiCorp's and ACC's consideration. Day also raised concerns about the possible use of an electric barrier at the outlet of the upper release..

Shrier would like to proceed with the work this Fall during the dewatering.

Gene Stager (USFW) requested that the company not have the related construction outage in the summer when there could be water temperature issues.

Shrier said he will do a better job in the future of reviewing Settlement Agreement before meetings so all participants know when decisions are required by ACC. It is not a requirement for ACC to decide the release point location. PacifiCorp has full responsibility for this decision.

Shrier asked if any questions from the group. No further discussion from ACC attendees. Olson requested that if anyone has additional comments at a later point, they please provide those to PacifiCorp. Under consideration of comments, the company will be making a decision on release location.

ACC Meeting Notes – February 9, 2005

Shrier requested formal adoption of last months meeting notes.

Meeting notes were adopted with minor edits, and ACC requested PacifiCorp use a similar meeting note format to that used during Lewis River Licensing meetings. Final meeting notes to be distributed to ACC participants via email and posted on Lewis River website.

Ground Rules – Confidentiality Agreement

Olson reviewed ACC Ground Rules with group and recommended we try to mirror ACC/TCC Ground Rules as much as possible. He pointed out all the modifications the TCC recommended so all ACC participants could work toward a common document. Olson suggested we attach an appendix to the Ground Rules that lists the designated representatives. There was group discussion on the re-licensing confidentiality agreement that was in application during the settlement process and whether it still applies, and what topics are considered to be confidential.

Stager explained that he didn't see anything in the aquatic arena that was confidential and we can address the issue when the time comes.

Craig Burley (WDFW) would like to see that the confidentiality agreement is not in place for aquatics, although he is very supportive of the idea to keep land discussions confidential.

Brett Swift (American Rivers) does not think the re-licensing confidentiality agreement is applicable here.

Olson said we can add specific language to the Ground Rules to address confidentiality situations and how the ACC is going to deal with them.

Olson clarified that it is the general understanding of the ACC that we don't need a confidentiality agreement for aquatics, but we do for TCC land acquisitions (in most cases). The ACC nodded in agreement, and Swift concurred.

Day said that if something comes up that is confidential the ACC can address it at that time.

Discussion continued about Ground Rules regarding:

Malinowski wants a separate defined document to FERC when and if we cannot reach agreement. He further expressed that there should be a significant number of ACC members who do not agree on an important topic before the need to notify FERC.

Olson reviewed formatting issues relating to the heading "Meetings", and also discussed adding time at the beginning and/or at the end of agenda for public comment.

Group discussion regarding flexibility of having new members coming in to participate in the future.

Shrier confirmed that there are provisions for Settlement Agreement parties to become ACC participants in the future. Someone from the public may attend, but not be a formal ACC participant unless so designated by a SA party.

To allow public input at the ACC meetings, Olson will add language to Ground Rules to address adding time for interested public on future agendas.

Group concurred that "ACC Recommendations" be changed to read "ACC Written Record."

Further review of Ground Rules to discuss and incorporate changes. McCune to incorporate changes and email to ACC participants prior to the next regularly scheduled meeting.

Regarding meeting facilitation, Olson said that if the group reaches a spot where a facilitator is required for the ACC, that PacifiCorp is open to providing this service.

Group discussion about improving teleconferencing capabilities at Merwin Hydro meeting room facility. Shrier will look into the options, if any, and report back to the ACC.

The group agreed to strike the section entitled "Assignments" and add complete action items to the section entitled "Preparation."

Olson adding language to "response Time" to allow flexibility yet not conflict with Settlement Agreement.

Malinowski votes to remove "brainstorming" section. Group concurs.

The Settlement Agreement definition of "consensus" and "consult" will be added to the Ground Rules.

Stagner suggested adding emergency provision language to "meeting" section. Olson was hesitant to add this language as we just simply would not have enough time to schedule a meeting under an emergency situation.

Swift suggested we add confidentiality language to "information" section of Ground Rules.

McCune suggested add "but not limited to" in Annual Report section to address Day's concern.

<Lunch: 12:40pm>

<Reconvene: 1:10pm>

Fish Passage Engineering Subgroup

Denham has scheduled the first meeting in Olympia, WA on April 22, 2005 from 10:00am – 1:30pm. Confirmed attendees are:

- Dana Postlewait, R2 Resource Consultants
- Bryan Nordlund, NOAA Fisheries
- Erik Lesko, PacifiCorp
- Brent Denham, PacifiCorp
- Todd Olson, PacifiCorp (tentative)
- Pat Powers, WDFW (tentative)

Topics of discussion will be:

- Sorting criteria for Merwin Trap

- Design criteria for Merwin Trap
- Upper release
- Electrical barrier
- Ground rules & Authority

Denham clarified that this is simply a work group who will then provide information and recommendations to the ACC.

FERC Tour

This is an open tour scheduled for Tuesday, March 15, 2005 from 8:30am – 3:30pm.

Yale-Merwin Entrainment Studies Update

PacifiCorp initially considered using strobe light arrays to test entrainment reduction at Yale and Merwin. However, because the technology is unproven for bull trout and given the uncertainty in gaining final approval by the resource agencies, the determination was made to explore other, more traditional methods for entrainment reduction.

Shrier is proposing to test the entrainment capabilities of nets. More concerted effort is needed to identify what type of fish are being entrained. The Yale entrainment device is to be in place by first year of the License. Shrier asked the group if they thought this was a reasonable way to go.

Stagner suggested that the size of the mesh be based on bull trout.

Day requested PacifiCorp to be forward thinking in the design, choice of net, etc in relation to anadromous fish passage. She requested that she be involved in the discussions and meeting(s) early on. Shrier noted that the company will be seeking input as it moves forward on this project. The ACC agreed it was good to have Shrier start the study.

Alternate Meeting Sites

McCune presented a few alternate meeting sites to ACC to minimize travel time for those coming from the North. These sites are:

- Cowlitz PUD
- Cowlitz Historical Museum
- Cowlitz Tribal offices
- Cowlitz County Administration Building
- Merwin Hydro Facility

Group chose the Merwin Hydro Facility for the next meeting in April so members can participate (if interested) in a site visit to the prospective Swift canal release points.

Aquatic Fund

Olson communicated to the group that in the Settlement Agreement (7.5.3.2), PacifiCorp is to put the Funding Plan together in 2005. It must be developed in Consultation with the ACC by

November 30, 2005. For discussion purposes, Olson provided the ACC with a document (ACC-Funding Processes and Procedures) that identified items that could be included in a review process for distribution of the Lewis River Aquatics Fund.

McCune to email aquatic funding document to Brett Swift.

In preparing the document, PacifiCorp reviewed SERF Board plan(s) and met with Jeff Breckel (The Lower Columbia Fish Recovery Board) to discuss their project funding process. Jeff was helpful in providing information and insight that will be valuable in developing the Lewis River Funding Plan.

Olson requested the ACC review and provide any comments on the handout which was distributed to all ACC attendees. The document is a work in progress, additional documentation will be provided to the ACC as developed.

Olson also asked the group to consider if the "Strategic Review of Projects" section considers the larger planning restoration work going forward. PacifiCorp is open to comment as we proceed.

Karen Thompson (US Forest Service) provided examples of proposal types for PacifiCorp review and consideration in developing the Funding process. Burley reminded the ACC attendees that we had discussed a two-step process at the last meeting though we should keep this idea as a consideration. The first step is to have an applicant provide a proposal summary, then based on potential funding success, the applicant would then go onto prepare a detailed project proposal.

Malinowski suggested we should carry over the \$300k PacifiCorp has available for this year until we have a formal funding process in place.

Shrier said we can certainly seek proposals/recommendations now and begin reviewing funding options as we create the formal process. Malinowski asked that the agencies come up with ideas and priority projects and present them to the ACC.

Burley likes the idea of having a Plan in place, but wants the opportunity to consider any good opportunity which comes available. Day concurred.

Stagner discussed a particular bull trout opportunity for the group to consider funding as soon as possible. The ACC approved Stagner to complete further due diligence on the opportunity and report his findings back to the group at the next ACC meeting.

Thompson noted that it would be good, if possible, to include projects in the soon to be developed EIS being completed by FERC.

Day and Stagner also noted that in some cases projects will need to undergo ESA consultation.

Next step – Olson to continue developing the Aquatics Funding process.

Update on Aquatic Studies Development

Shrier provided the following update:

- Received proposals for Merwin Tailrace Fish Behavior study, presently reviewing for selection of contractor.
- Currently working on request for proposals for gravel study.
- Pursuing studies for actual design of downstream collectors, entrainment nets and bathymetry study.

Miscellaneous

Day requested clarification on a number of areas on last month's agenda:

- Stress relief ponds versus acclimation ponds
- Merwin Trap Study
- Aquatic Funding
- Entrainment studies

Stagner asked that we have meeting materials available electronically as soon as possible. Olson concurred but said PacifiCorp is often creating materials up to the day before meetings so release of information at that point is difficult. However, we are going to try to get these items on the Lewis River website for review as soon as we can. This should assist attendees who are on teleconference during the meeting. To extent possible, meeting handouts will be made available via the web site or emailed to the ACC members before each meeting.

Low River Flows

Day asked Shrier about low flow operations and current hydrologic status. Shrier noted the very low natural flows and minimal snow pack will greatly effect hydro operations this spring and potentially this summer. Currently Yale reservoir is being drawn down to facilitate Swift 2 work. Specifically, for construction and installation of the discharge structure for the surge-arresting pipe. The pipe will discharge directly into the Swift No. 2 tailrace.

Next Scheduled Meeting

Thursday, April 21, 2005
Merwin Hydro Facility
9:00am – 3:00pm

Agenda items

- Visit to upper Swift canal release site (1:00pm – 4:00pm)
Equipment required: steel toe boots, hard hat, safety glasses (PacifiCorp can provide, if needed).
- Discussion on Ground Rules
- Update of funding opportunity from Gene Stagner

- **Decision on whether the 2005 Aquatics Fund should be distributed this year prior to finalization of the Funding Process Document.**

Meeting adjourned at 2:45pm