

FINAL Meeting Notes
Lewis River License Implementation
Aquatic Coordination Committee (ACC) Meeting
July 14, 2011
Teleconference

ACC Participants Present (11)

Frank Shrier, PacifiCorp Energy
 Todd Olson, PacifiCorp Energy
 Erik Lesko, PacifiCorp Energy
 Jeremiah Doyle, PacifiCorp Energy
 Sabrina Hickerson, PacifiCorp Energy
 Eli Asher, Fish Recovery Board
 Jim Malinowski, Fish First
 LouEllyn Jones, USFWS
 Lindsay Wright, USFWS
 Pat Frazier, WDFW
 Eric Kinne, WDFW

Calendar:

August 11, 2011	ACC Meeting	Merwin Hydro
Sept. 8, 2011	ACC Meeting	Merwin Hydro

Assignments from March 10, 2011 meeting:	Status:
Bull Trout Subgroup – Todd Olson (PacifiCorp) will draft a schedule and bring to July’s meeting for discussion	Pending
PIT Tagging Subgroup – Meeting scheduled for July 18, 2011 at Merwin HCC from 12:00 p.m. – 4:00 p.m.	Pending
Construction Drawings & Updates – Sabrina Hickerson (PacifiCorp) to coordinate with engineering to provide final design drawing of Pond 16 to WDFW along with status of the Merwin Header Modifications.	Pending

< 9:05 a.m. – Meeting began >

Opening, Review of Agenda and Meeting Notes

Frank Shrier (PacifiCorp Energy) called meeting to order at 9:05 a.m. and requested comments on last month’s meeting notes. Malinowski noted that his name had been spelled incorrectly and Sabrina Hickerson corrected it.

At 9:07 a.m. Lindsay Wright (USFWS) joined the call and introduced herself to the group. She is employed with the U.S. Department of Fish and Wildlife and will be working with LouEllyn Jones (USFWS) on the Lewis River.

At 9:07 a.m. June's meeting notes were accepted with no further changes.

Eric Kinne (WDFW) commented that last month there was a question about the tag readers being used by WDFW on the Columbia – the group wanted to know if they could read both half- and full-duplex PIT tags. He provided the update that the data loggers being used by WDFW to record data do not read half-duplex.

The July meeting agenda was accepted at 9:09 a.m. with no changes, though Erik Lesko (PacifiCorp Energy) did request that the group do updates first because he and Jeremiah Doyle (PacifiCorp Energy) needed to leave to do field work. The group agreed.

Study Updates

Release Pond Site – Shrier advised that PacifiCorp Energy is pursuing consultation with NMFS on the eulachon smelt. He did not anticipate any delays with the project, however, since it is scheduled to be completed next year.

Hatchery & Supplementation Program – The H&S Subgroup meet last week and discussed the following items:

- Wild Winter Steelhead Program: Pat Frazier (WDFW) will set up a site visit with
- a team of experts from Olympia to assess locations on the Lewis River to place a screw trap in order to collect smolts in the most effective manner.
- Fall Monitoring for Coho: Kinne advised that WDFW will be meeting next Tuesday and should get something to Erik early in the day Wednesday estimating staffing levels needed to complete the monitoring.
- 2012 Planning for Steelhead, Chinook, and Coho: The group agreed to shorten the collection window for using tangle nets. They also discussed how best to handle issues with holding wild fish at the hatchery and proposed trying out circular tanks. Lesko will be meeting with Kevin Young (Merwin Hatchery) next Wednesday to scope a plan and will provide an update at the next HS subgroup meeting.

The next H&S subgroup meeting will be scheduled next week.

Habitat Preparation Plan – The goal is to collect 2000 Coho, but the run projection is only 6000, so there is concern that the target number will not be reached.

Lewis River Hatchery Upgrades Pond 16 – Lesko advised that pond walls are now being constructed. WDFW advised that they had yet to receive the drawings for the final designs. Sabrina Hickerson (PacifiCorp Energy) advised that she would speak with Nathan Higa (PacifiCorp Energy) to request the drawings be sent to Frazier and Kinne.

Upstream and Downstream Intakes at Lewis River Hatchery – Permitting is ongoing, target completion 2012.

Merwin Rearing Pond Header Modifications – Hickerson to get with Higa and find out start date and status.

Merwin Ozone System Upgrades – Lesko advised that it does not appear that there will be time to complete the upgrades this year, but the intention is to purchase the equipment to have it ready for next year. WDFW expressed concern about the lack of the ability to monitor residual ozone because the meter is not working. Lesko suggested that the meter could potentially be replaced in November during annual maintenance and that he would look into this. This project will also include addressing the emergency back-up generator, which currently requires a manual switchover to activate when the hatchery loses power. This is on the schedule for next year.

Speelyai Kokanee Weir – On schedule.

Speelyai Hatchery Pond 14 – PacifiCorp is waiting for the 60% design plan to come from the design contractor. WDFW has provided comments on earlier designs which are being incorporated in the 60% design. Anything that cannot be incorporated will be discussed and a meeting would be scheduled if needed.

Speelyai Intake Modifications – For 2012.

Bull Trout Monitoring – Doyle and Lesko are wrapping up collection at Eagle Cliff. They have tagged 70 new fish with 2011 tags. Fifteen fish were caught in the bypass reach at the Yale tailrace and of those, four will go upstream to Swift and eleven will go back into Yale reservoir. The transport work will continue for the next month until PacifiCorp's contract with Abernathy Fish Technology Center runs out.

Wright mentioned that she is maintaining a bull trout siting database and she would like to coordinate with Doyle going forward. Doyle provided her his email address to take the discussion offline.

Doyle announced that a half-duplex PIT-tag detector was put in at Pine Creek yesterday and another will be installed at Rush Creek tomorrow. Due to high flows it may not be possible to install the detector slated for the Muddy River in the near term.

Merwin Fish Facility – Construction is on schedule. The permits for dredging at the Lewis River fish ladder are on track. PacifiCorp has received the Army Corps of Engineers permit, but still needs the County and HPA permits. Shrier is hopeful that will happen in August.

< 9:24 a.m. Doyle and Lesko departed >

Swift Upstream Fish Facility – The trestle pilings are being installed now, but the construction is behind schedule by six weeks due to delays in getting authorization from the US Forest Service to transport the crane needed for the job over their bridges on the FS 90 Road. PacifiCorp has submitted a request to extend the in-water work window, requesting permission to complete the work by mid-November. Approval has been received from USFWS, but PacifiCorp is still waiting to hear back from NMFS. Everything else is going well, and the second deck of the collector is nearly complete and on schedule.

< 9:25 a.m. Kinne and Frazier departed >

PIT Tagging Subgroup – Meeting scheduled for Monday July 18, 2011 from noon to four p.m.

Shoreline Management Plan Waiver Request

Mr. Kemper owns property by the Swift reservoir. Between his property and the shore line is approximately 25 feet of PacifiCorp land classified under PacifiCorp's Shoreline Management Plan (SMP) as resource management land. Typically land with this classification does not allow for any sort of modification and must be protected, but the SMP does have a provision that allows a waiver to be granted for modifications to be made.

Mr. Kemper has submitted an application for a waiver to build a single-family boat dock on the Swift reservoir and have a path cutting through the resource management land to the proposed dock. Information regarding his request, including a summary of his application has been forwarded to the ACC for review. PacifiCorp is requesting input from the TCC and the ACC prior to making any decision as to whether or not to grant the waiver.

< 9:28 a.m. Kinne and Frasier returned >

In review of this issue, the TCC said they would approve the mooring ball that he already has and if he wants to have a more permanent access through the resource management land (i.e. a trail) then he could request that.

Malinowski asked if there are any other examples. Olson said that there are single-family docks on Merwin and there will be some on Yale reservoir. These have been allowed because the land down to the reservoir was owned by the individuals building the docks or were located in established neighborhoods where other homes already had docks. Kemper's project is different because he doesn't own the shoreline. He is coming to PacifiCorp and requesting an exemption from the SMP to allow him to cross the 25 feet of land separating his property from the shoreline, to allow him to build a boat dock on the shoreline and to access the dock through the management land on a regular basis.

Olson said that the mooring ball may have been installed without permission before the SMP was written. PacifiCorp is still waiting for FERC to validate the SMP and once it does, Kemper's mooring ball will likely be a grandfathered use. Right now there is an un-permitted trail, and the ACC/TCC could permit this trail with improvements to prevent further erosion.

Jones suggested that if the ACC would allow the dock, they ought to consider proposing a community dock rather than single-family. There are four other parcels near Kemper's property that could utilize the dock.

Malinowski expressed concern about allowing the mooring ball because that too, could set a precedent and others could start putting mooring balls in the reservoir. Olson responded that the

SMP does cover this and such mooring balls would have to be permitted and are not allowed in resource area.

The SMP defines three areas - Operation, integrated and resource management.

- Operations area: Locations of the utility's facilities, including the dam and powerhouse.
- Integrated area: Where development has already occurred and the land is already privately owned.
- Resource management area: Everything else, including the shoreline. Anything considered resource management cannot be developed or modified without special consideration. In such cases, PacifiCorp will seek input from the ACC and TCC.

Malinowski reiterated his concern about mooring balls. He has not read the SMP and inquired if the language was clear and direct and if it covered mooring balls placed away from the shoreline in addition to those near or next to the shoreline. Olson agreed with him and said this could be reviewed.

Olson advised there have been several previous requests for permits under the SMP, mostly for dock replacements, and all in integrated areas. PacifiCorp has or is in the process of permitting all of them.

Malinowski stated that he agreed with the TCC to disallow Mr. Kemper's request on the grounds that he already has a mooring ball in place.

Eli Asher (Fish Recovery Board) echoed Jones' previous comments. He agreed that the applicant did not demonstrate that there is "no other feasible alternative to the proposed use [that] would have less impact on the Project," (PacifiCorp, Shoreline Management Plan, Section 7.4). Additionally, he didn't provide convincing evidence that this would not impact cultural or natural resources.

Olson said that Kemper submitted a larger application package that he has not gone through and what has been presented to the ACC and TCC was summarized by the property management team. Therefore, it is possible that some of the language regarding impact on resources was lost in translation.

Asher agreed with the TCC input. Malinowski seconded. Malinowski is still concerned about proliferation of mooring balls and does not want anyone with property within the shoreline area to think they can put in mooring balls based on this one exception. Shrier agreed, and advised that when PacifiCorp responds it will be clearly stated that this is an exception.

The SMP was not a requirement by the SA or the FERC or the License. PacifiCorp did this to protect and manage resources consistently.

WDFW concurred with the rest of the group.

Shrier told the ACC that the new bull trout brochures are now available, and have been updated to clarify pertinent points. They are now being distributed at the campsites and boat launches.

< 10:04 a.m. meeting adjourned >

Agenda items for August 11, 2011

- Review July 14, 2011 Meeting Notes
- Update on Subgroup for Discussion PIT Tagging Salmon and Steelhead Smolts with Full-Duplex or Half-Duplex Tags
- Study/Work Product Updates

Public Comment

None

Next Scheduled Meetings

August 11, 2011	September 8, 2011
Merwin Hydro Control Center	Merwin Hydro Control Center
Ariel, WA	Ariel, WA
9:00 a.m. – 2:00 p.m.	9:00 a.m. – Noon

Meeting Handouts

- Meeting Notes 6/9/11
- Agenda 7/14/11