

**FINAL Meeting Notes  
Lewis River License Implementation  
Aquatic Coordination Committee (ACC) Meeting  
October 9, 2008  
Ariel, WA**

**ACC Participants Present (17)**

Clifford Casseseka, Yakama Nation (9:25am)  
Michelle Day, NMFS (via teleconference 11:40am)  
Pat Frazier, WDFW (9:25am)  
Bernadette Graham-Hudson, LCFRB (9:00am – 10:50am)  
Adam Haspiel, USDA FS  
Mark LaRiviere, Tacoma Power  
George Lee, Yakama Nation (9:25am)  
Erik Lesko, PacifiCorp Energy  
Jim Malinowski, Fish First (via teleconference)  
Chris Maynard, Washington Department of Ecology (WDOE)  
Kimberly McCune, PacifiCorp Energy  
Todd Olson, PacifiCorp Energy  
Frank Shrier, PacifiCorp Energy  
Neil Turner, WDFW (9:25am)  
Richard Turner, NMFS (via teleconference 9:35am)  
Steve Vigg, WDFW (9:25am)  
Shannon Wills, Cowlitz Indian Tribe (9:20am)

**Calendar:**

November 12, 2008	TCC Meeting	Merwin Hydro
November 13, 2008	ACC Meeting	Merwin Hydro

<b>Assignments from October 9th Meeting:</b>	<b>Status:</b>
Olson: Revise the 7-day review text on page 10 of the Strategic Plan document and present back to the ACC for review.	Complete – 11/13/08
Lesko: Check with WDFW to determine a meeting date for the H&S Subgroup and invite all ACC participants.	Complete – 11/13/08

<b>Assignments from September 11th Meeting:</b>	<b>Status:</b>
McCune: Create a redline of the ATE Definition document to illustrate the requested ACC edits, email to the ACC for review and request a decision at the October 2008 ACC meeting.	Complete – 10/9/08
McCune: Make the appropriate changes to the aquatic fund matrix and email the corrected version to the ACC.	Complete – 9/26/08

**Opening, Review of Agenda and Meeting Notes**

Todd Olson (PacifiCorp Energy) called the meeting to order at 9:10 a.m. Frank Shrier (PacifiCorp Energy) requested a round table introduction for the benefit of those on the

conference call and the guests from Tacoma Power and the Washington Department Of Ecology (WDOE). He also reviewed the agenda for the day and requested any changes to the agenda. No changes were requested, however, the ACC attendees were informed that the Bull Trout Action Plan agenda item will be postponed until November 2008.

Shrier requested comments and/or changes to the ACC Draft 9/11/08 meeting notes. A request for clarification was made to modify the Study Updates portion in the title Acclimation Pond to accurately reflect the title, Release Pond. The meeting notes were approved at 9:15am with the requested change.

### **License Issuance Update**

Olson informed the ACC attendees that PacifiCorp received formal notice from the Federal Energy Regulatory Commission (FERC) stating that they are in receipt of the Utilities Request for Rehearing. PacifiCorp later requested a stay regarding submittal of revised Exhibit G drawings as they were an issue of rehearing. FERC approved the stay until February 27, 2009 at which time Exhibit G drawings are to be submitted.

### **ATE Discussion – Definition of ATE (Revised Nordlund Memorandum)**

Shrier reviewed the revised Adult Trap Efficiency (ATE) Memorandum, dated 10/6/08 (**Attachment A**) to include new text remaining under review by the Lewis River Engineering Subgroup. Shrier inserted modified text below to address certain concerns expressed by WDFW:

*b) Fallbacks are test fish that after release, leave the release area and do not enter the Merwin tailrace, or are test fish that enter the tailrace and leave in less than 24 hours and never return. These latter fish will be labeled as ‘tentative migrants’. If a tentative migrant does return to the tailrace again, then it is assumed this fish is having difficulty finding the trap entrance, and these tentative migrants will not be included as fallbacks.*

Shrier clarified that no decision is expected by the ACC today; however, the ACC is encouraged to review and comment in order to make a decision at the ACC meeting on 11/13/08.

Shannon Wills (Cowlitz Indian Tribe) requested the following sentence be reworded as it's awkward as it reads currently:

*Safe passage means that fish are re-captured and passed upstream with facility induced injury and mortality rates less than defined in Section 4.1.4 of the Lewis River Settlement Agreement (SA).*

No additional comments were offered at the ACC meeting today.

### **Continued Review of Aquatic Fund – Strategic Plan and Administrative Procedures (September 2005). Review suggested changes to the Strategic Plan**

Olson informed the ACC attendees and guests that PacifiCorp received three Aquatic Fund Pre-Proposals from USDA FS and one from Lower Columbia Fish Enhancement Group (LCFEG).

Wills informed the ACC attendees that the Cowlitz Tribe is experiencing electronic technical difficulty, as a follow up to Kimberly McCune's (PacifiCorp Energy) email to the ACC on October 6, 2008 ([Attachment B](#)). Wills said that she expects that they can gain access to the documents today at which time the Cowlitz Tribe will email or fax the Pre-proposals to McCune.

Olson requested the ACC attendees decide if they approve allowing the Cowlitz Tribe additional time to submit their Pre-proposals after the deadline of October 6, 2008.

Adam Haspiel (USDA FS) agreed with allowing the submittal since the Cowlitz Tribe was proactive in informing the ACC. Clifford Casseseka and George Lee with the Yakama Tribe agreed with a late submittal. Jim Malinowski (Fish First) and Bernadette Graham-Hudson (LCFRB) also agreed.

The ACC attendees were in agreement that as long as it does not affect the review cycle they agree to allow the Cowlitz Tribe a late submittal of their 2009 Aquatic Fund Pre-proposals. Olson expressed that as long as the Cowlitz Tribe is timely and gets PacifiCorp the proposals today or tomorrow, there should be no delay.

Casseseka also expressed that he wants to make sure any proposal does not adversely affect the reintroduction program. Olson responded that one of the key objectives is to support the reintroduction of anadromous fish. Each proposal is reviewed specific to enhancement and restoration of habitat which addresses Casseseka's concerns.

### **Review of Aquatic Fund Comment Matrix**

Olson reviewed the aquatic fund comment matrix; dated October 7, 2008 ([Attachment C](#)), which over time, PacifiCorp has been collecting comment from the ACC and entering these into the matrix for ACC review. Olson expressed that he would like to focus on the actions and tangible changes in the Strategic Plan and Administrative Procedures (September 2005), with collective comments dated October, 2008 ([Attachment D](#)).

### **Clarify East Fork Lewis language in the Settlement Agreement Q1 - Should projects in the EF be funded? Q2 - Should EF projects be funded after funding of NF projects?**

Action: Olson inserted the following language into the funding announcement cover letter to address this concern:

*The projects are evaluated for funding according to their:*

- (1) *Benefit to fish recovery throughout the North Fork Lewis River, with priority to federal ESA-listed species;*
- (2) *Support of the reintroduction of anadromous fish throughout the Basin;*

and

- (3) *Enhancement to fish habitat in the Lewis River Basin, with priority given to the North Fork Lewis River.*

*Species that are targeted to benefit from Resource Projects include Chinook, steelhead, coho, bull trout, chum, and sea-run cutthroat.*

Malinowski expressed that he agrees with this action.

**Project effects/nexus definition Q1 - What are the hydroproject effects that AQ Funded projects should address? Q2 - Should any priority be given to certain project types?**

Action: Add new language to 3.3.2 to read as follows:

*3.3.2 Proposed project benefit to priority fish species and stocks (Chinook, Steelhead, Coho, Bull Trout, Chum, and Sea-run Cutthroat) and/or properly functioning conditions within the Lewis River Basin (40 % weight):*

Malinowski said that we will likely evaluate on a project-by-project basis and does not have a problem with this action.

**Role of Project owner Q1 - What is the appropriate level of engagement in the funding process for an ACC entity that is also a project proponent?**

Action: Process should strive to give equal consideration to all projects.

Malinowski expressed that the decision to exclude someone should be an ACC decision not a single person during the decision making process. Graham-Hudson communicated that it is not a concern to her if a single project proponent asks a certain ACC participant to leave during specific project discussion.

Wills communicated to the ACC attendees that our group is too small to start excluding people and those with considerable knowledge of the watershed.

Graham-Hudson wants to avoid situations whereby a proponent is strongly lobbying for their project.

Olson responded that the goal is to provide opportunity and all data regarding pre-proposals in advance to the ACC and, when the time comes for a “decision meeting”, no additional data and/or questions will be necessary.

Wills and Haspiel both expressed that attendance at the ACC meetings is critical and to read the information provided in advance of decision-making meetings.

**Post-implementation monitoring Q1 - What "value" should be given to those projects that include monitoring to assess the success of the project?**  
**Study Updates**

Action: Add the following language to the Strategic Plan document: edit 3.3.3 6th bullet *"Does the project provide for implementation monitoring and appropriate level of monitoring for biological results?"*

Graham-Hudson made the recommendation to modify the text to include, *"appropriate level of monitoring"* of biological results.

**AQ Fund Spending Q1 - Should we stop funding projects until fish are reintroduced?**

Action: No action required.

**Project review consistency (fairness) Q1 - What steps can be taken to assure fairness?**

Action: Project proponents will be given the opportunity to present projects and answer questions during review period. The following text in red italics has been added to page 10 in the Strategic Plan document to address ACC concerns:

*During the review period, Resource Project proponents will be given time at an ACC meeting to present their projects and answer any questions.*

An annual meeting of the ACC will follow the review period to allow Consultation on Resource Projects described in the report. The meeting is to be no sooner than 30 days and no later than 60 days after distribution of the report. *To be efficient and timely in decisions, participating ACC representatives shall provide individual project approval or disapproval 7-days prior to the annual meeting. In order to approve or disapprove a proposed project, the ACC representative must be in attendance at the annual meeting. If a participating ACC representative cannot attend the meeting, they may, through written notice, provide a proxy. Participating ACC representatives cannot be one of the proposed project managers. At the annual meeting, the facilitator shall implement the following: no questions should be asked of the Project proponent at the Funding Selection meeting, and, if requested by any ACC representative, a project proponent/entity must remove themselves from the meeting during discussion of their project. This process should ensure equal consideration to all projects.* Per ACC input, the Utilities will finalize the list of projects to receive funding and notify funding recipients. It is expected that this final review process will be completed by early April.

**Ranking of Projects Q1 - Should prioritization of projects be considered? Q2 - Is additional focus needed on the individual project long-term benefits?**

Action: Add the following text to page 9 of the Strategic Plan document:

*Included in the report will be a list of the pre-proposals and the Utilities ranking of pre-proposals including a narrative explaining ranking and funding recommendations (all submitted pre-proposal forms will be attached to report).*

**Funding process Q1 - How can the process become more efficient to meet schedule?**

Action: Add the following language to the Strategic Plan document:

*To be efficient and timely in decisions, participating ACC representatives shall provide individual project approval or disapproval 7-days prior to the annual meeting." (see page 10).*

Additional requirements added to the Full Proposal form under item 5 Project Objective(s) and item 13 Budget.

**Funding Decision Meeting Q1 - Should it be a requirement that ACC members should attend or an alternate should be in attendance at the meeting or they lose their voting opportunity?**

Action: Add the following language to the Strategic Plan document:

*In order to approve or disapprove a proposed project, the ACC representative must be in attendance at the annual meeting. If a participating ACC representative cannot attend the meeting, it may, through written notice, provide a proxy. (see page 10).*

General discussion took place regarding the 7-day review period and more specifically the email received from Michelle Day (NMFS) (**Attachment E**) expressing her concerns to remove the 7-day review period. Malinowski said that he would be more amenable if each attendee demonstrated participation throughout the review process, rather than absenteeism throughout the process and only attending the decision making meeting.

Olson communicated that PacifiCorp will be proactive in seeking out comments from absentee ACC participants prior to a decision-making meeting.

Additional text should be considered to address, "unforeseen emergency".

Malinowski said that it should be on rare occasion where one person can veto a project, which has deteriorating affects on the structure of the decision-making process.

Cassesecka expressed that the only things that would hold back the Yakama Nation from not attending a decision-making meeting is unforeseen emergency such as a death in the family. If the Yakama nation cannot be there they have to go along with the decision of the ACC. Cassesecka further expressed that he is not in favor of holding up the process by one person. He would also like to see on the agenda, in bold, when a decision is expected.

Olson will revise the 7-day review text on page 10 of the Strategic Plan document and present back to the ACC for review and approval.

<Break 10:50am>

<Reconvene 11:05am>

## Hatchery & Supplementation (H&S) Plan

Erik Lesko (PacifiCorp Energy) provided a PowerPoint Presentation titled, Hatchery & Supplementation Plan, North Fork Lewis River (**Attachment F**) as a review to start up the H&S review process again for completion on or before December 21, 2008 in order to begin the H&S program in March 2009.

Lesko reviewed the relationship between Hatchery and Supplementation Plan (H&S Plan) and HGMP's, what has been done (timeline), what still needs to be done (timeline), the consistency and remaining questions between both plans and how do we assist in finalizing H&S Plan. He reviewed Settlement Agreement language 8.1 indicated below:

*The Hatchery and Supplementation Program shall be consistent with the ESA, applicable state and federal fisheries policies, and regional recovery plans, and should be consistent with recommendations of the Hatchery Science Review Group (HSRG) and the Northwest Power Planning Council's Hatchery Review (Artificial Production Review and Evaluation) to the extent practical"...*

He identified the difference in the goals between the H&S Plan and the Hatchery & Genetic Management Plan (HGMP) and that both Plans involve substantial hatchery support.

A timeline was reviewed to include milestones such as license issuance, when we need to finalize the H&S Plan and when we need to begin the Winter Wild Steelhead broodstock collection.

Richard Turner (NMFS) informed the ACC attendees that all HGMPs have been submitted.

Lesko suggested that the ACC may consider approving the H&S Plan in stages to allow the program to begin in Spring 2009.

Data gaps and potential inconsistencies (with regard to wild winter steelhead) were discussed to include:

- Tagging methods for hatchery reared wild steelhead
- Kill spawning of wild winter steelhead
- DNA Analysis – type and suitability
- Use of alternative collection sites
- Release location and method of smolts
- Lack of abundance information in lower Lewis River
- Rearing Strategies (e.g., family isolation)
- Pathogen screening procedures and applicability
- Responsibility for program implementation (e.g., kelt reconditioning, double indexing, upgrades)

General discussion took place regarding pathogen screening, family isolation (rearing strategies), DNA analysis and the need for consistency of H&S Plan and HGMPs.

The Yakama Nation expressed concern about the H&S Plan being held up due to genetic issues. The use of Chinook juveniles in the upper basin is the best method for a good strong return.

The need for an H&S Plan subgroup was discussed to work through remaining details and inconsistencies and to finalize portions of the HS plan to meet implementation phases (e.g., steelhead) to meet the Spring 2009 time frame with a goal of meeting all components of the H&S Plan by December 26, 2009.

Olson noted that Lesko can check with WDFW to determine a meeting date for the H&S Subgroup and invite all ACC participants.

## **Study Updates**

Olson provided the following study updates:

*Swift Constructed Channel Concept Design and Swift Upper Release Design* – Permit applications filed; county is reviewing. Construction planned in 2009. PacifiCorp is putting together the bid proposal for construction work.

### *Hatchery Upgrades*

*Lewis River Pond 15* – Experiencing some challenges with contracting; met with Procurement last week; should have a construction contractor on board by December 2008.

*Speelyai Burrows Pond* – On schedule with construction planned for 2009.

*Release Pond* – Experiencing contracting challenges; meeting with Procurement next week to resolve issues.

*Yale BT Entrainment Reduction Study Plan* – PacifiCorp pursuing barrier net concept; not completely abandoned electrical barrier option at this time.

## **Review and Discussion of Land Interests**

Olson provided an update of interests in certain lands, however, this discussion is considered confidential and proprietary and not for public viewing.

## **New topics/issues**

None

## **Public Comment**

The Department of Ecology was not a signatory to the settlement agreement for the Lewis River projects. However, we did coordinate the conditions in our 401 water quality certification with those in the settlement agreement by working with the settlement agreement parties during the review of the draft 401. The 401 conditions were adopted as conditions of the Lewis licenses. Continued coordination will be very important so the work on the settlement terms does not conflict with 401 requirements. I suggested that Ecology be involved with the ACC. This would best begin by making a



presentation and having a discussion about each potential point of conflict/collaboration between the settlement agreement and the 401 water quality certification.

### Agenda items for November 13, 2008

- Review October 9, 2008 Meeting Notes
- Definition of Revised ATE – ACC Decision
- Aquatic Funding Proposals Discussion
- Aquatic Fund – Strategic Plan and Administrative Procedures (September 2005)  
*Approve changes to the Strategic Plan*
- Hatchery & Supplementation Plan – Subgroup Update
- Study/Work Product Updates
- License Update
- Bull Trout Action Plan Discussion

### Next Scheduled Meetings

November 13, 2008	December 11, 2008
Merwin Hydro Control Center	Merwin Hydro Control Center
Ariel, WA	Ariel, WA
9:00am – 3:00pm	9:00am – 3:00pm

**Meeting Adjourned at 12:15 p.m.**

### Handouts

- Final Agenda
- Draft ACC Meeting Notes 9/11/08
- [Attachment A](#) – Revised Definition of Adult Trap Efficiency (ATE) Nordlund Memorandum, dated October 6, 2008
- [Attachment B](#) – Email from Kimberly McCune, PacifiCorp Energy, on behalf of the Cowlitz Indian Tribe regarding the 2009 Aquatic Fund Pre-proposals, dated October 6, 2008.
- [Attachment C](#) – Aquatic Fund Matrix, dated October 7, 2008
- [Attachment D](#) - Strategic Plan and Administrative Procedures (September 2005), with collective comments dated October, 2008
- [Attachment E](#) – Email from Michelle Day, NMFS regarding aquatic fund 7-day review process, dated October 9, 2008
- [Attachment F](#) – Hatchery & Supplementation Plan, North Fork Lewis River Power Point, as provided by PacifiCorp Energy

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The ACC agrees that:

ATE is defined as “The percentage of adult Chinook, coho, steelhead, bull trout, and sea-run cutthroat that are actively migrating to a location above the trap and that are collected by the trap.”

This is calculated by taking the number of tagged active migrants (test fish) that are passed upstream in a safe, timely and efficient manner, divided by the number of tagged active migrants entering the Merwin tailrace. Safe passage means that fish are re-captured and passed upstream with facility induced injury and mortality rates less than defined in Section 4.1.4 of the Lewis River Settlement Agreement (SA). Timely passage means that median delay is less than defined below. Efficient passage means that trapped fish are transported upstream within 24 hours of trap capture.

For ATE evaluation purposes, the following conditions apply:

a) Active migrants are test fish, minus those that are sport-caught, enter the Lewis River hatchery, fallback, or lose their tags.

b) Fallbacks are test fish that after release, leave the release area and do not enter the Merwin tailrace, or are test fish that enter the tailrace and leave in less than 24 hours and never return. These latter fish will be labeled as ‘tentative migrants’. If a tentative migrant returns to the tailrace again, then it is assumed this fish is having difficulty finding the trap entrance, and these tentative migrants will not be included as fallbacks.

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c) Merwin tailrace is the river between Merwin Dam and the project access bridge.

To achieve ATE,

a) the median delay time between initial Merwin tailrace entry and final trap capture, for active migrants will be measured at less than or equal to 24 hours, with no more than 5% of the test fish taking longer than 1 week to pass. If study results show the median delay is less than 30 hours and all other upstream fish passage SA Performance Standards at Merwin dam are met, the 30-hour median delay may be acceptable based on consensus of the ACC.

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b) at least 98% of the active adult migrants are passed upstream.

After ATE, Upstream Passage Survival per SA 4.1.4a, and Injury Performance Objectives per SA 4.1.4b are achieved, no further adjustments or modifications to the Merwin upstream passage facility will be required.

**McCune, Kimberly**

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**From:** McCune, Kimberly  
**Sent:** Monday, October 06, 2008 2:56 PM  
**To:** Adam Haspiel (ahaspiel@fs.fed.us); Athena Sanchez (pebbles@yakama.com); Bernadette Graham Hudson (bghudson@lcfwb.gen.wa.us); Bill Bakke; 'Brett Swift'; Bryan Nordlund; Clifford Casseseka; Curt Leigh; Dan Barrett (spchinook@comcast.net); 'Darlene Johnson'; Diana MacDonald; Doyle, Jeremiah; Eric Kinne (kinneebk@dfw.wa.gov); 'George Lee'; James Dixon (dixonjfd@dfw.wa.gov); 'Jeff Breckel'; Jim Byrne (byrnejbb@dfw.wa.gov); Jim Eychaner; 'Jim Malinowski'; 'Joel Rupley'; 'John Clapp'; John Weinheimer; Kathryn Miller (kmiller@tu.org); Lesko, Erik; LouEllyn Jones; Mariah Stoll-Smith Reese (M.Reese@tds.net); Melody Tereski; Michelle Day; Nathan Reynolds; Neil Turner (turnenet@dfw.wa.gov); Olson, Todd; Pat Frazier (frazipaf@dfw.wa.gov); Paul Pearce (pearce@co.skamania.wa.us); Rich.Turner@noaa.gov (Rich.Turner@noaa.gov); 'Ruth Tracy'; 'Ryan Lopossa'; Shannon Wills; Shelley\_Spalding@fws.gov; Shrier, Frank; Steve Branz [branz@ci.woodland.wa.us]; Steve Manlow (smanlow@lcfwb.gen.wa.us); Steve Vigg; Susan Rosebrough; Taylor Aalvik (taalvik@cowlitz.org)  
**Subject:** Availability of Funds for Aquatic Related Projects - Cowlitz Tribe Pre-Proposals  
**Importance:** High

Attn: ACC Participants

On behalf of the Cowlitz Indian Tribe, PacifiCorp has been asked to relay a message that the Tribe is experiencing serious electronic technical difficulty at this time. The Tribes ability to send email and print documents are among just a few of the functions not in working order.

With this said, the deadline for submittal of Aquatic Fund Pre-Proposals is close of business today. The Tribe has prepared Pre-Proposals for submittal, however, they are unable to access these documents or transmit them to the ACC. The Tribes will make every effort to submit their two proposals as quickly as possible this week, however, they respectively request consideration and additional time for the submittals. The Tribe will provide an update to the ACC this Thursday, October 9, 2008 at which time the ACC can make their decision if additional time will be granted.

Thank you.

*Kimberly L. McCune - PacifiCorp Energy  
Hydro Resources Project Coordinator  
Phone: 503-813-6078  
Fax: 503-813-6633  
[kimberly.mccune@pacificorp.com](mailto:kimberly.mccune@pacificorp.com)*

Discussion Point and Questions	Fish First	LCFRB	Yakama Nation	USFS	Cowlitz Indian Tribe	USEWS	Utilities	NMFS	WDFW	Decision	Action
Clarify East Fork Lewis language in the Settlement Agreement Q1 - Should projects in the EF be funded? Q2 - Should EF projects be funded after funding of NF projects?	Concerned about limiting funding to North Fork projects only which violates certain parts of the Settlement Agreement. The emphasis should be on the relative aquatic benefits of the project and not the location. If all things are equal in benefit, priority means you select a North Fork project first. If the benefits are greater on an East Fork project, that project should be selected.	It is clear that there is a strong priority given to the North Fork system for project implementation. We agree with this guidance, and feel that investment should be made in the East Fork only if there are no opportunities in the North Fork. Any project proposed for the East Fork Lewis should make clear, direct connections to benefits to North Fork Lewis populations. We recognize the importance of the East Fork Lewis for salmon recovery efforts, but the purpose of the Aquatics Fund should remain focused on the North Fork Lewis system.	The Yakama Nation is not opposed to funding projects on the East Fork. Fish can not be programed to react in the way we want. Changing the variable upsets the balance of the fish with scientific ideas. All streams should be included in the enhancement efforts. You cannot cut the arm (the tributaries) off which is why the East Fork is important to the reintroduction process. Different streams change with time. Placing a priority on the basin does not consider how the salmon (different species) are related and what they need to do. The North Fork and the East Fork are equal in importance.	Projects should be funded in the East Fork Lewis River with priority given to projects on the North Fork Lewis River. Projects proposed for the East Fork Lewis should have a clear nexus to benefits to North Fork Lewis populations. Projects downstream of Merwin Dam should also be funded with priority given first to projects above the reservoirs.	East Fork projects are to be determined on a case by case basis. The Tribe does not believe any "clarification" is needed. A project proponent introduces a project, the ACC discusses it and a decision will be made. The project should have a clear connection to the benefits to the North Fork Lewis.	East Fork projects should be considered for funding (but are a lower priority), and only if a clear link can be established (in the body of the proposal) that the project will benefit NF populations. FERC has made it clear that there has to be a nexus to project operations or to enhance populations affected by the project.	The SA specifically states that the Aquatic Fund should support resource protection measures that, "increase the probability for a successful reintroduction program" (SA 7.5) The SA goes on to state that for the purposes of Section 7.5, North Fork Lewis refers to the portion of the Lewis River from its confluence with the Columbia River upstream to the headwaters, including tributaries except the East Fork of the Lewis River (SA 7.5.3.1). However, the section above this says that one of the objectives is to "enhance fish habitat in the Lewis River Basin, with priority given to the North Fork Lewis River" (SA 7.5.3.1(3)). Since East Fork is really the only part of the North Fork Lewis River that is not included in the above definition, that is what 7.5.3.1(3) is referring to. All this really says is that we can fund East Fork projects but they fall behind any other proposed project that fits the North Fork definition.	According to the Settlement Agreement priority is given to the North Fork; however, this does not preclude funding projects in the East Fork. The ACC must provide clear connection of the East Fork projects to the reintroduction efforts.	Yes, aquatic enhancement projects in the East Fork Lewis should be funded without prejudice. The damage caused by hydropower development on the Lewis is so great and pervasive that artificial constraints on innovative or system-wide enhancement methodologies should not be imposed by attorneys, utilities or bureaucrats. Solutions to re-introduction problems should be judged in terms of efficacy of improving fish survival through the hydropower system (upstream and downstream) – throughout the fishes' life cycles. Habitat improvements should be made within an ecosystem framework that is focused on restoring properly functioning conditions that can support self-sustaining natural populations and sustainable fisheries. WDFW agrees with the comments of Fish First and the Yakama Nation.	East Fork projects may be funded, but priority of spending should go to North Fork as identified in the Settlement Agreement.	Place specific language from the Settlement Agreement into Fund announcement that is distributed the fall of each year. The following language from SA 7.5.3.1c is to be included: "The Licenses shall evaluate Resource Projects using the following objectives: 1 - Benefit fish recovery throughout the North Fork Lewis River, with priority to federal ESA-listed species; 2 - Support the reintroduction of anadromous fish throughout the Basin; and 3 - Enhance fish habitat in the Lewis River Basin, with priority given to the North Fork Lewis River."
Project effects/nexus definition Q1 - What are the hydroproject effects that AQ Funded projects should address? Q2 - Should any priority be given to certain project types?		Some of the main impacts of the hydro system are the loss of habitat forming processes below the dam as a result of impacts to flow, sediment, and LWD transport. Projects below the dam should address the loss of these processes and priority should be given to projects that provide potential benefits along those lines. Upstream of the dams, projects that result in the replacement of lost habitat should be given priority.		Priority should be given to instream habitat restoration projects, next to riparian related projects, and then to road related projects.			Priority should be given to instream projects that will provide a "home" for reintroduced salmon and steelhead.		All hydropower impacts should be mitigated – i.e., damage caused by initial construction plus its ongoing existence and operation. Priority should be given to projects that provide significant biological benefits to both target species population health and ecosystem functioning.	Q1- Impacts to properly functioning conditions and habitat/biological benefits to re-introduced and listed fish. Q2 - Priority to instream projects that result in biological benefits and properly functioning conditions.	Add the following language to the Strategic Plan document: 3.3.2....."and/or properly functioning conditions within the Lewis River Basin". (pg 7).
Role of Project owner Q1 - What is the appropriate level of engagement in the funding process for an ACC entity that is also a project proponent?	The ACC is too small to exclude any members from discussion (whether a proponent or not). Consensus takes care of any advocating of projects. Agree with position of Cowlitz Indian Tribe.	In Section 3.2, under the Process Considerations, it states that ACC representatives may not champion their own projects. We agree with this guidance and feel that this guidance should be more closely followed. While a member of the sponsoring organization can participate in discussions to provide information, the ACC voting member should not advocate for their organization's project. It is the responsibility of the facilitator to determine when this line is being crossed.		The project proponents are most knowledgeable about the project and should be allowed to participate in discussions about the proposed project as needed. Proponents should not champion their project, just provide clear concise information as needed.	The Tribe agrees with Fish First. The ACC is too small to exclude members from discussion and/or voting. ACC members are educated, intelligent individuals with a good working knowledge of the watershed. They also have professional integrity. The Tribe is not concerned with any member's participation, regardless if their agency is a project proponent. Participation of all ACC members is critical if we are to make the best decisions for the Lewis River Watershed. Let the projects speak for themselves.	Agree with position of the LCFRB. Have the project manager leave the discussion if different from the ACC representative. Do not let project questions be asked at the decision meeting.	An ACC entity proposing a project may participate in ACC discussions on their project, but cannot champion their project nor participate in the consensus selection of their project. If requested, they must excuse themselves from the ACC meeting at the appropriate time.	Do not give ACC members more of an advantage or opportunity than non ACC members. A project owner should step out when decision is being made or show that there is a clear division between ACC representative and project proponent.	All ACC members should be encouraged to be project sponsors as well as bringing in and supporting outside entities that could contribute to diverse solutions.	No questions should be asked of Project proponent at the Funding Selection meeting. If requested by any ACC representative, a project proponent/entity must remove themselves from the meeting during discussion on their project. Process should strive to give equal consideration to all projects.	Facilitator to implement the following: No questions should be asked of Project proponent at the Funding Selection meeting. If requested by any ACC representative, a project proponent/entity must remove themselves from the meeting during discussion on their project. Process should strive to give equal consideration to all projects. See edit to page 9 of the Aquatic Fund - Strategic Plan and Administrative Procedures.
Post-implementation monitoring Q1 - What "value" should be given to those projects that include monitoring to assess the success of the project?		Proposed monitoring should be appropriate for the project in that it can be achieved on an individual project basis. The monitoring should be used to help inform adaptive management and document that the project was effective at creating or enhancing the habitat it proposed to create or enhance.		A higher value of some sort should be given to projects that include monitoring.		Monitoring above and beyond what is already required may be appropriate in a more "experimental" project, i.e., where the ACC is interested in seeing it go forward, but on a pilot or trial basis.	Projects that include monitoring at the appropriate funding level should get a higher rating. ACC should have the right to eliminate funding of monitoring as needed. Project owners must continue to demonstrate that the project was built according to project plan and is functioning as expected (e.g. photos before and after the project).		Research, monitoring and evaluation components are essential for Adaptive Management of projects, and the development of sustainable, long-term solutions. Ideally, implementation projects should have integral RM&E components that enable the success of the project to be objectively judged and modifications to be made. The difficulty would be determining the level of RM&E that is feasible given the time-frame, scope and budget of the specific project.	Projects which have a monitoring component that demonstrates project implementation and successful results based on known criteria (biological or physical) should receive a higher evaluation score than those who do not.	Add the following language to the Strategic Plan document: edit 3.3.3 6th bullet "Does the project provide for implementation monitoring and monitoring for biological results?"
AQ Fund Spending Q1 - Should we stop funding projects until fish are reintroduced?	No, Only projects that are truly worthy and that really help fish should get funded. The Fund is not just for reintroduction of anadromous fish, but for the whole basin and mitigation for aquatic habitat inundated by the reservoirs. Fund announcement needs to stress what the ACC is looking for in habitat projects.	No, however, more weight should be given to projects that benefit re-introduction of anadromous fish.	No, the Settlement Agreement gives direction for the Aquatic Fund. The ACC should respond accordingly in a professional fashion and work through any funding response differences together.	No, if we wait until fish are reintroduced to do any work, we may be years behind habitat needs of reintroduced fish, and create an unsuccessful reintroduction effort. Some of the money, perhaps half, should be saved until fish are actually reintroduced. NOAA and USEWS need to play a major role in monitoring reintroduced populations so they can help determine locations for successful projects to be implemented. The ACC should consider how proposed projects address issues identified in the 2008 Habitat Synthesis.	No, look at each project on a case by case basis and ask the question does the project benefit anadromous fish reintroduction efforts?	We should continue funding projects now, and not wait until reintroduction takes place.	No, however projects that will directly enhance the habitat of reintroduced fish should be of priority. Selected projects should tie directly to items identified in the Settlement Agreement.	No, the ACC should spend the fund on the appropriate projects while looking to make the anadromous fish reintroduction a success.	No	The ACC should not withhold distribution of Aquatic Funds until anadromous fish are reintroduced upstream of Merwin dam. Future funding should only be spent on projects that justifiably benefit the anadromous fish reintroduction, recovery of listed species, and/or fish habitat (per Lewis River Settlement Agreement).	No action needed

Discussion Point	Fish First	LCFRB	Yakama Nation	USFS	Cowlitz Indian Tribe	USFWS	Utilities	NMFS	WDFW	Decision	Action
Project review consistency (fairness) Q1 - What steps can be taken to assure fairness?		ACC must provide opportunities to project sponsors that are consistent. This relates to how various ACC participants engage in the funding discussions, application requirements, presentations to the ACC, project evaluation criteria, etc.		All projects from all proponents should be held to the same standard to be fair. Don't ask one proponent to provide information that other proponents aren't also required to provide i.e. detailed budgets.		I wonder if there is a stronger role for the facilitator--i.e., ensuring everyone has the chance to comment, but also not letting the group get bogged down.	If a request of information is made to a project proponent, that same request goes to all applicants. Discussion of projects by the ACC should be limited to the information on hand, unless all project applicants are participating.		Establish "Norms". More use of objective methods, e.g., the new Habitat tool.	All information requests should be consistent across project proposals. No new information should be provided by project owners at regular ACC meetings. The intent is to be fair to all projects and not provide ACC representatives any additional opportunity to promote projects.	ACC shall self police discussions at ACC meetings. Project proponents will be given the opportunity to present projects and answer questions during review period. See edit to page 9 of the Aquatic Fund - Strategic Plan and Administrative Procedures.
Ranking of Projects Q1 - Should prioritization of projects be considered? Q2 - Is additional focus needed on the individual project long-term benefits?		Section 3.1 Aquatics Fund Goals – states in the first paragraph, final sentence, "The purpose of the Aquatic Fund is to fund projects that directly help achieve the Reintroduction Outcome Goal." Can you clarify if this is an overarching goal of the Aquatic Fund, or if this is one of several goals, including those listed in section 1.0 Introduction in the language from the SA describing Resource Projects? To improve fairness and consistency, a specific set of scoring criteria should be used. This ensures that all projects are given the same level of scrutiny, and if necessary during the funding decision process, the scores can be used to assist in decision making. The criteria for project evaluation should include both a project's long-term and short-term benefits in relation to limiting factors in the project area.		When projects are rated using established guidelines they should be ranked by priority. Long-term benefits should be addressed in the project proposal for all projects.	The Tribe believes it would not be a good use of time for the Utilities to prioritize projects based on scores. The current method of reviewing projects, which includes a 'Selected by Utilities for Full-Proposal' category in the pre-proposal evaluation and the 'Total Score' category in the final proposal matrix, is adequate.	It would be useful to make a distinction between long term benefits that restore ecological function (e.g., log jams or restoring riparian habitat), vs. one time action, (e.g., adding spawning gravel that would wash away).	Project funding should be prioritized based on evaluation score		Ranking should be based on biological benefits – for the target species and ecosystem health.	Q1 - Yes - Utilities should rank the projects according to final score. Q2 - Higher priority should be given to projects with long-term biological benefits.	Within Aquatic Fund report, Utilities will provide individual project scoring and will rank the projects based on cumulative score. Add following language to Strategic Plan document "The report shall include .....an evaluation and ranking of each Resource Project....."(page 9).
Funding process Q1 - How can the process become more efficient to meet schedule?		We recommend strengthening the proposal instructions to encourage sponsors to better describe how their projects relate to the Aquatics Fund objectives and recovery plans. Sponsors should be asked to clearly describe biological benefits and expected outcomes of their projects. Sponsors should include metrics to help the reviewers quantify the scope of their project and relate it to their proposed cost. A more detailed budget form should be provided in the proposal.		Time should be set aside for each project proponent to present their projects to the ACC group at an ACC meeting. This could be at the draft proposal stage, but it may make more sense to do it when the final proposal is submitted.  It appears that the ACC group expects to see projects begin a short time after final project approval. A shorter review time of projects would speed up the funding process and may allow this to occur under certain circumstances. However, the amount of time it takes for final project approval, collection agreements to be executed, and to get projects on the docket to be evaluated by our NEPA planning team, a start date of the following calendar year is more realistic.  Representatives need to attend ACC meetings to participate and discuss potential projects. Representatives should not be allowed to object to projects without participating in the selection process. Rearrange the time line so that the final vote for project approval is the final vote. The 7 day comment period should be prior to the final vote, and Representatives can provide feedback during this 7 day period if they are not able to attend the final vote. Either the should vote for final project approval. If a Representative is not present, project proponents should be allowed to stay in the room when	In the past, the ACC has made decisions in a timely fashion. A problem seems to have arisen when an objection was received after the ACC made a funding recommendation. Addressing the seven day objection period timeline should be adequate to address this problem. The Tribe does not want to see the ACC Aquatics Fund process become a huge, bureaucratic, paperwork nightmare for our project proponents. Most other funding sources in the region are not viewed as user friendly by applicants. The ACC spends a meeting or two a year discussing Aquatics Fund projects. To expect an ACC member to invest 8-16 hours of their time to attend these meetings is not unreasonable. Requiring more paperwork from Aquatics Fund proponents will not streamline the ACC decision making process.	From the language of the license, it sounds like FERC wants to approve the suite of projects prior to funds being released. If so, it really throws our schedule of review off. We should discuss, clarify, and decide how best to respond. The project proposals should include enough information to adequately describe the project and its context within the Lewis River basin.	See USFS suggestions. They are good and we should discuss these as a group although there is no real way to assure certainty with timing especially given that FERC now says they need to approve each project. The Utilities and ACC need to complete project proposals in a timely manner, and attempt to narrow review window. Everyone to come prepared to the annual meeting; individual project approval or disapproval and feedback should be provided to PacifiCorp so input can be summarized and distributed prior to annual meeting.		Each entity needs to participate at all phases of the process, and not undermining the work of others by exercising a veto at the end.	ACC representatives shall provide project input prior to the annual meeting such that input can be compiled and distributed back out to the ACC. Add additional requirements for full project proposals to include identification of biological metrics and detailed budget.	Add the following language to the Strategic Plan document: "To be efficient and timely in decisions, participating ACC representatives shall provide individual project approval or disapproval 7-days prior to the annual meeting." (see page 9). Additional requirements added to the Full Proposal form under item 5 Project Objective(s) and item 13 Budget.
Funding Decision Meeting Q1 - Should it be a requirement that ACC members should attend or an alternate should be in attendance at the meeting or they lose their voting opportunity?		In an effort to be consistent and fair across sponsors and projects, we recommend those involved in the funding decisions be present during the project review meetings and presentations. This ensures that all reviewers have the same information about the projects and the projects are evaluated by a consistent group of reviewers.	ACC members should attend or an alternate should be in attendance, since we (the ACC) operate on a consensus basis it doesn't mean a project will be approved. He further stated that our group is too small to exclude any members from discussion (whether a proponent or not).	YES. If they don't attend they cannot make an informed decision, and it wastes project proponent's time.	the Tribe agrees with Fish First. The ACC is too small to exclude members from discussion and/or voting. Our ACC members are educated, intelligent individuals with a good working knowledge of the watershed. They also have professional integrity. The Tribe is not concerned with any member's participation, regardless if their agency is a project proponent. Participation of all ACC members is critical if we are to make the best decisions for the Lewis River Watershed.	As a suggestion, voting members or their representative should attend when a decision needs to be made, or assign a proxy who can represent their needs at that meeting. The project proponents are most knowledgeable about the project and should be allowed to participate in discussions about the proposed project as needed. Proponents should not champion their project; just provide clear concise information as needed.	Yes	Giving a proponent more time to argue their own projects is a concern for her; to remove appearance of conflict of interest and bias a project proponent should not champion their proposed project.	Yes, ACC entities should identify primary members and substitutes within their organization and/or have a proxy.	Yes - participating ACC members (or their proxy as identified in writing) must be present at the annual meeting to approve or disapprove a project. If a participating ACC representative cannot attend the meeting, it may, through written notice, provide a proxy." (see page 9).	

<p><b>FERC Comment in License - 6/26/08</b> Section 7.5.3.1 of the Agreement proposes the establishment of an Aquatic Fund. The Agreement explains that this fund may be used for projects that would benefit fish recovery throughout the North Fork Lewis River. In contrast to the In-lieu Fund, the Agreement notes some specific aquatic habitat enhancement objectives that would be implemented with the funds, but provides no nexus to project purposes. The EIS emphasized, however, that the fund should be used only for measures that provide a demonstrated benefit to resources affected by project facilities and operation and that the strategic plan and annual report describing proposed resource measures be filed with the Commission for approval so that our approval can be made on a suite of measures. I concur and require that the annual report be filed for our approval in each of the Lewis River Project licenses.</p>											

# Aquatics Fund – Strategic Plan and Administrative Procedures

Prepared by PacifiCorp and Cowlitz PUD  
September 2005 [and revised October 2008](#)

## 1.0 Introduction

On November 30, 2004 PacifiCorp, Cowlitz PUD, and a number of interested parties reached a Settlement Agreement (SA) concerning the relicensing of the Lewis River Hydroelectric Projects. Listed within the agreement was an article for PacifiCorp and Cowlitz PUD to establish a Lewis River Aquatics Fund. Specific language from the SA is as follows:

*Aquatics Fund. PacifiCorp and Cowlitz PUD shall establish the Lewis River Aquatics Fund (“Aquatics Fund”) to support resource protection measures (“Resource Projects”). Resource Projects may include, without limitation, projects that enhance and improve wetlands, riparian, and riverine habitats; projects that enhance and improve riparian and aquatic species connectivity that may be affected by the continued operation of the Projects; and projects that increase the probability for a successful reintroduction program. The Aquatics Fund shall be a Tracking Account maintained by the Licensees with all accrued interest being credited to the Aquatics Fund. PacifiCorp shall provide \$5.2 million, in addition to those funds set forth in Section 7.1.1, to enhance, protect, and restore aquatic habitat in the Lewis River Basin as provided below. Cowlitz PUD shall provide or cause to be provided \$520,000 to enhance, protect, and restore aquatic habitat in the Lewis River Basin as provided below; provided that Cowlitz PUD’s funds may only be used for Resource Projects upstream of Swift No. 2, including without limitation the Bypass Reach. The Licensees shall provide such funds according to the schedules set forth below.*

### 7.5.1 PacifiCorp’s Contributions.

*a. PacifiCorp shall make funds available as follows: on each April 30 commencing in 2005, \$300,000 per year until 2009 (a total of \$1.5 million).*

*b. For each of the Merwin, Yale, and Swift No. 1 Projects, PacifiCorp shall make one-third of the following funds available as follows after the Issuance of the New License for that Project: on each April 30 commencing in 2010, \$300,000 per year through 2014 (a total of \$1.5 million); on each April 30 commencing in 2015, \$100,000 per year through 2018 (a total of \$400,000); and on each April 30 commencing in 2019, \$200,000 per year through 2027 (a total of \$1.8 million); provided that, for any New License that has not been Issued by April 30, 2009, the funding obligation for that Project shall be contributed annually in the same amounts but commencing on April 30 following the first anniversary*

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of Issuance of the New License for that Project.

c. *PacifiCorp shall contribute \$10,000 annually to the Aquatics Fund as set forth in Section 7.1.1.*

7.5.2 Cowlitz PUD's Contributions. *Cowlitz PUD shall make or cause to be made funds available as follows: \$25,000 per year on each April 30 following the first anniversary of the Issuance of the New License for the Swift No. 2 Project through the April 30 following the 20<sup>th</sup> anniversary of the Issuance of the New License for the Swift No. 2 Project (a total of \$500,000); and a single amount of \$20,000 on the April 30 following the 21<sup>st</sup> anniversary of the Issuance of the New License for the Swift No. 2 Project.*

7.5.3 Use of Funds. *Decisions on how to spend the Aquatics Fund, including any accrued interest, shall be made as provided in Section 7.5.3.2 below; provided that (1) at least \$600,000 of such monies shall be designated for projects designed to benefit bull trout according to the following schedule: as of April 30, 2005, \$150,000; as of April 30, 2006, \$100,000; as of April 30, 2007, \$150,000; as of April 30, 2008, \$100,000; and on or before the April 30 following the fifth anniversary of the Issuance of all New Licenses, \$100,000; and such projects shall be consistent with bull trout recovery objectives as determined by USFWS; (2) fund expenditures for the maintenance of the Constructed Channel (Section 4.1.3) shall not exceed \$20,000 per year on average; (3) if studies indicate that inadequate "Reservoir Survival," defined as the percentage of actively migrating juvenile anadromous fish of each of the species designated in Section 4.1.7 that survive in the reservoir (from reservoir entry points, including tributary mouths to collection points) and are available to be collected, is hindering attainment of the Overall Downstream Survival standard as set forth in Section 3, then at least \$400,000 of such monies shall be used for Resource Projects specifically designed to address reservoir mortality; and (4) \$10,000 annually shall be used for lower river projects as set forth in Section 7.1.1. Projects shall be designed to further the objectives and according to the priorities set forth below in Section 7.5.3.1.*

7.5.3.1 Guidance for Resource Project Approval and Aquatics Fund Expenditures.

a. *Resource Projects must be consistent with applicable Federal, State, and local laws and, to the extent feasible, shall be consistent with policies and comprehensive plans in effect at the time the project is proposed. These may include, but are not limited to, Washington's Wild Salmonid Policy, the Lower Columbia River Bull Trout Recovery Plan, and the Lower Columbia River Anadromous Fish Recovery Plan.*

b. *The Aquatics Fund shall not be used to fund Resource*

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*Projects that any entity is otherwise required by law to perform (not including obligations under this Agreement or the New Licenses for use of the Aquatics Fund), unless by agreement of the ACC.*

*c. The Licensees shall evaluate Resource Projects using the following objectives:*

- (1) Benefit fish recovery throughout the North Fork Lewis River, with priority to federal ESA-listed species;*
- (2) Support the reintroduction of anadromous fish throughout the Basin; and*
- (3) Enhance fish habitat in the Lewis River Basin, with priority given to the North Fork Lewis River.*

*For the purposes of this Section 7.5, the North Fork Lewis River refers to the portion of the Lewis River from its confluence with the Columbia River upstream to the headwaters, including tributaries except the East Fork of the Lewis River.*

*The Licensees shall also consider the following factors to reflect the feasibility of projects and give priority to Resource Projects that are more practical to implement:*

- (i) Whether the activity may be planned and initiated within one year,*
- (ii) Whether the activity will provide long-term benefits,*
- (iii) Whether the activity will be cost-shared with other funding sources,*
- (iv) Probability of success, and*
- (v) Anticipated benefits relative to cost.*

#### **7.5.3.2 Resource Project Proposal, Review, and Selection.**

*(1) By the first anniversary of the Effective Date, the Licensees shall develop, in Consultation with the ACC, (a) a strategic plan consistent with the guidance in Section 7.5.3.1 above to guide Resource Project development, solicitation, and review; and (b) administrative procedures to guide implementation of the Aquatics Fund. Both may be modified periodically with the approval of the ACC.*

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(2) Any person or entity, including the Licensees, may propose a Resource Project. In addition, the Licensees may solicit Resource Projects proposals from any person or entity.

(3) The Licensees shall review all Resource Project proposals, applying the guidance set forth in Section 7.5.3.1. The Licensees shall provide an annual report describing proposed Resource Project recommendations to the ACC. The date for submitting such report shall be determined in the strategic plan defined in subsection 7.5.3.2(1) above. The report will include a description of all proposed Resource Projects, an evaluation of each Resource Project, and the basis for recommending or not recommending a project for funding.

(4) The Licensees shall convene a meeting of the ACC on an annual basis, no sooner than 30 days and no later than 60 days after distribution of the report set forth in Section 7.5.3.2(2), for Consultation regarding Resource Projects described in the report.

(5) Licensees shall modify the report on proposed Resource Projects, based on the above Consultation, and submit the final report to the ACC within 45 days after the above Consultation. Any ACC member may, within 30 days after receiving the final report, initiate the ADR Procedures to resolve disputes relating to Resource Projects. If the ADR Procedures are commenced, the Licensees shall defer submission of the final report on Resource Projects to the Commission, if necessary, until after the ADR Procedures are completed. If the ADR Procedures fail to resolve all disputes, the Licensees shall provide the comments of the ACC to the Commission. If no ACC member initiates the ADR Procedures, the Licensees shall submit the final report to the Commission, if necessary, within 45 days after submission of the final report to the ACC.

#### 14.2.4 TCC and ACC Decision-Making Process and Limitations

(D) In no event shall the TCC or the ACC increase or decrease the monetary, resource, or other commitments made by PacifiCorp and Cowlitz PUD in this Agreement; override any other limitations set forth in this Agreement; or otherwise require PacifiCorp to modify its three Projects' facilities without PacifiCorp's prior written consent or require Cowlitz PUD to modify its Project's facilities without Cowlitz PUD's prior written

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*consent, which consent may be withheld in the applicable Licensee's discretion.*

PacifiCorp and Cowlitz PUD will be responsible for compiling proposals and making initial recommendations to the Lewis River Aquatic Coordination Committee (ACC). The ACC will play an important role in the discussion and final selection of projects. The Settlement Agreement calls for the Licensees to obtain the views of and attempt to reach consensus among the ACC; therefore, it is critical that the ACC have the ability to reach consensus on funded projects in a timely and well thought out manner.

## **2.0 Purpose**

The intent of this document is two fold. First the document briefly identifies goals of the aquatic fund, provides evaluation guidance at a program level, and then outlines more specific evaluation components of resource projects such as priorities, technical questions, and policy questions. Second, this document identifies the steps to be undertaken to implement the Aquatics Fund. Process forms are included as appendices.

## **3.0 Funding Process Considerations**

### **3.1 Aquatics Fund Goals:**

The goal of the fund is to support resource protection measures that may include, without limitation, projects that enhance and improve wetlands, riparian, and riverine habitats; projects that enhance and improve riparian and aquatic species connectivity that may be affected by the continued operation of the Projects; and projects that increase the probability for a successful reintroduction program.

The reintroduction outcome goal of the comprehensive aquatics program contained in Section 3 of the SA is to “achieve genetically viable, self-sustaining, naturally reproducing, harvestable populations above Merwin Dam greater than minimum viable populations (“Reintroduction Outcome Goal”)”.

### **3.2 Project Evaluation Guidance at a Program Level**

The ACC and Licensees shall consider the following factors in the review of potential aquatic projects:

Proposed Projects:

- Resource projects must have specific objectives and expected outcome(s) that help attain the purposes of the Aquatic Fund.
- Resource Projects must be consistent with applicable Federal, State, and local laws.

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- Resource Projects, to extent feasible, shall strive to be consistent with policies and comprehensive plans, such as the Lower Columbia Salmon Recovery Plan, in effect at the time the project is proposed.
- Aquatics Fund monies shall not be used to fund projects that any entity is otherwise required by law to perform, except by agreement of the ACC.
- Licensees shall evaluate proposals based upon: (1) the benefit to fish recovery throughout the North Fork Lewis River with priority to ESA –listed species, (2) the support to the reintroduction of anadromous fish throughout the basin, and (3) the enhancement of fish habitat in the Lewis River Basin with priority to the NF Lewis River. (See Appendix A for geographic scope of Fund)
- Licensees shall consider factors that reflect the feasibility of projects and give priority to resource projects that are more practical to implement.
- Resource project must use Best Management Practices (BMPs). The ACC may identify suggested sources of BMPs, but applicants must identify what sources they are using for BMPs and how they will protect resource values.

Process Considerations (or requirements):

- Any interested party may submit resource project proposals for funding.
- If a representative of the ACC proposes a project for funding, he or she may participate in the ACC review of the Utilities evaluation of proposed projects, however they may not champion their own projects(s) and must remove themselves if a conflict of interest arises. The intent is to allow an ACC representative to participate in the process, but to also make sure that no favoritism (perceived or otherwise) is given to ACC members.
- Entity receiving Aquatic Funds must meet all state or federal permitting requirements for their project.

### 3.3 Evaluation of Resource Projects

Given the expected number of potential Aquatics Fund proposals to be submitted and the cap on funding, a mechanism to review and evaluate projects is needed. In general evaluation criteria can be grouped into five areas:

1. Consistency with Fund objectives and priorities
2. Benefits to priority fish species and stocks
3. Scientific validity and technical quality of proposed project
4. Ability for the project proponent to successfully implement proposed project
5. Cost effectiveness and timeliness

In completing the evaluation of proposals and reporting recommendations to the ACC, PacifiCorp and Cowlitz PUD will rate each proposal giving consideration to the five general evaluation criteria listed above. Given the importance that a proposed project be consistent with Fund objectives and priorities, proposed projects will be evaluated as a “Meets” or “Does not meet” against this specific criteria. If during the Pre-Proposal

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review (1<sup>st</sup> Stage) the project receives a “Does not meet” response, the proposal will be dropped from further evaluation and funding. The Licensees shall document this determination in its recommendations report to the ACC.

The following sections provide information and questions to be considered in completing the “Meets/Does not meet” response or numerical rating for each general evaluation criteria. A weighting percentage is also identified per criteria. For each proposed project that Meets consistency with the Fund objective and priorities, reviewers will give a score of 1 to 5 for each remaining criteria (1 is lowest value, 5 is highest value). The weighting will then be multiplied against the score, and the addition of all weighted scores be the final score (see Appendix D for a sample evaluation sheet).

The basis for recommendation of any given project funding will be identified in a report to the ACC.

### 3.3.1 Consistency with Fund Objectives and Priorities (Meets or Does not meet):

1. Benefit fish recovery throughout the North Fork Lewis River, priority to federal ESA-listed species
2. Support the re-introduction of anadromous fish throughout the Basin
3. Enhance fish habitat in the Lewis River Basin, with priority given to the North Fork Lewis River.

### 3.3.2 Proposed project benefit to priority fish species and stocks (Chinook, Steelhead, Coho, Bull Trout, Chum, and Sea-run Cutthroat) and/or properly functioning conditions within the Lewis River Basin (40 % weight):

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- Does the proposal clearly describe the expected benefits of the project?
- Does the proposal clearly identify the salmonid species and stocks that would benefit from the project?
- Does the project address a limiting factor(s) to the target species, a limiting life history stage, or an important habitat process or condition?
- Will the project provide long-term benefits? Does the project provide tangible, on the ground benefits?
- Is the project generally consistent with the intent (strategies, measures, actions, and priorities) of applicable recovery and planning documents (e.g. Lower Columbia Salmon Recovery Plan)?

### 3.3.3 Scientific validity and technical quality of proposed project (40% weight):

- Is the problem to salmonids and the associated objectives of the proposed project clearly described?
- Does the project provide a detailed schedule with proposed end dates?
- Does the proposal employ appropriate techniques, adequate design and proper siting?
- Is it clear how the proposed project will meet its intent and purpose?
- What is the likelihood that the project will achieve stated objectives?

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- Does the project provide for implementation monitoring and monitoring for biological results? How will success be demonstrated? Are the benefits or outcomes from the project measurable (e.g. number of trees planted or amount of structure placed)? What monitoring protocols will be used, if any?
- Have watershed processes and a larger global aspect been considered in developing the proposal?
- How does the project fit within the fish needs as identified through watershed planning documents, recovery plans, etc?
- Is the project dependent on other key conditions or processes? (i.e., do other watershed activities/projects need to occur prior to getting the full benefits of proposed project?)
- Does the project take into account the condition or processes of the watershed (e.g., high flow events)?
- How might other habitat protection, assessments, or restoration actions in the watershed impact the project?
- Has the project proposal received peer review, and if so, what is the content of that review?
- Does the proposal identify any negative or positive impacts to other resource areas (e.g., recreation)?

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#### 3.3.4 Ability for the project proponent to successfully implement proposed project (10% weight)

- Does proposal include both appropriate numbers of personnel and experienced team members?
- Has the applying party submitted proposals in previous years? If their proposal received funding, has it been successfully implemented?
- Does the project have support from other parties that are knowledgeable of the landscape conditions, project, and potential outcomes?
- Will the project be able to obtain the necessary permits in a timely manner?

#### 3.3.5 Cost effectiveness and timeliness (10% weight)

- Does the project have matching funding or in-kind participation? Is there collaboration between numerous parties?
- Is the project budget identified by work effort (administration, materials, labor, etc.) and is it appropriate?
- Does the project have a reasonable cost relative to the anticipated benefits?
- Is the project self-maintaining once completed? If not, how will maintenance be achieved?
- Can the project activities be planned and initiated in one year?

### **4.0 Funding Process**

#### **4.1 General Process**

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Per the Settlement Agreement, PacifiCorp and Cowlitz PUD will make money available to the Aquatics Fund in the spring of each year as identified in Figure 4.1. There is the potential that following the Fund Process non-distributed monies may remain in the account. Likewise project withdrawals may not occur as expected due to withdrawal of a project or other circumstance. The ACC will be advised of the Aquatics Fund financial status throughout the year. Any monies not distributed shall remain in the Fund, will gain interest, and will be available for the following year's use unless ACC parties agree to conduct a second Fund process within that same year.

Although the funding process schedule in the first year of the program may be modified, in subsequent years it will generally be conducted in the fall and early winter. In early September of each year PacifiCorp together with Cowlitz PUD will notify potential fund applicants, a list of whom PacifiCorp together with Cowlitz PUD developed in consultation with the ACC, that the Utilities are seeking pre-proposals for the following year's funding (see Table 4.1 for activity timeline). Such notice shall inform the potential applicants of the need to (1) complete a pre-proposal form, and (2) submit it to PacifiCorp by early October. The notice shall also identify that projects will be evaluated by the following objectives (Settlement Agreement 7.5.3.1(c)):

- (1) Benefit fish recovery throughout the North Fork Lewis River, with priority to federal ESA-listed species;
- (2) Support the reintroduction of anadromous fish throughout the Basin; and
- (3) Enhance fish habitat in the Lewis River Basin, with priority given to the North Fork Lewis River

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~~Applicants will be requested to complete a short (2-3 pages) pre-proposal form that briefly describes the proposed project, expected results and benefits, and implementation details (see Appendix B for form). PacifiCorp will compile and provide Cowlitz PUD copies of pre-proposals and with Cowlitz PUD evaluate pre-proposals. To minimize any bias, individual reviewers (subject matter experts from the Utilities) will evaluate and score all proposals. PacifiCorp together with Cowlitz PUD shall prepare a report summarizing the evaluation outcome and provide it to the ACC by early November. Included in the report will be a list of the pre-proposals and the Utilities ranking of pre-proposals including a narrative explaining ranking and funding recommendations (all submitted pre-proposal forms will be attached to report). After gathering input from the ACC, PacifiCorp and Cowlitz PUD will finalize pre-proposal selection. Based on the number of projects, individual project cost, and funding available, PacifiCorp together with Cowlitz PUD will notify applicants of their selection for further consideration. This selection should occur by early December.~~

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Upon receiving notice that a project has been selected for further consideration, the applicant will have until mid January to complete and submit a full proposal (see Appendix C for form). PacifiCorp and Cowlitz PUD will evaluate and rank the proposals and report conclusions in a report to the ACC. The report will include a description of all proposed Resource Projects, an evaluation of each Resource Project, and the basis for recommending or not recommending a project for funding. The Utilities will Consult

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with the ACC and give ACC representatives a 30-day period to review and provide comment on conclusions. During the review period, Resource Project proponents will be given time at an ACC meeting to present their projects and answer any questions.

An annual meeting of the ACC will follow the review period to allow Consultation on Resource Projects described in the report. The meeting is to be no sooner than 30 days and no later than 60 days after distribution of the report. To be efficient and timely in decisions, participating ACC representatives shall provide individual project approval or disapproval 7-days prior to the annual meeting. In order to approve or disapprove a proposed project, the ACC representative must be in attendance at the annual meeting. If a participating ACC representative cannot attend the meeting, they may, through written notice, provide a proxy. Participating ACC representatives cannot be one of the proposed project managers. At the annual meeting, the facilitator shall implement the following: no questions should be asked of the Project proponent at the Funding Selection meeting, and, if requested by any ACC representative, a project proponent/entity must remove themselves from the meeting during discussion of their project. This process should ensure equal consideration to all projects. Per ACC input, the Utilities will finalize the list of projects to receive funding and notify funding recipients. It is expected that this final review process will be completed by early April.

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- Inserted: it may, through written notice, provide a proxy. Participating ACC representatives cannot be one of the proposed project manager's. At the annual meeting, the facilitator shall implement the following: no questions should be asked of
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It is the intent of the Settlement Agreement Parties that the ACC shall strive to operate by consensus and in the case of the Aquatics Fund, strive to reach agreement on Resource Projects to be funded. As provided in the Settlement Agreement, any disputes are to be resolved as expeditiously and informally as possible, and that issues within the scope of the ACC are discussed in those committees before being referred to the ADR Procedures. Any disputes among ACC members shall be resolved in accordance with the Settlement Agreement.

For each selected project, PacifiCorp will distribute funding according to an invoiced time and materials basis, with a not-to-exceed amount for the total project. Project proponents will be responsible to include a report of activities for invoiced amount. Upon project completion and prior to final invoice payment, project proponent, the utilities representatives, along with ACC representatives if they so choose, shall visit the project and conduct a project close-out review.

### 5.0 Review of Funding Process

This document has been prepared in Consultation with the ACC representatives to meet identified obligations in the Settlement Agreement. As provided in the Settlement Agreement, this document which includes both the Aquatic Fund strategic plan and administrative aspects may be modified periodically with the approval of the ACC.

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Table 4.1. Funding Process Timeline

Activity	Target Milestone Date
Submit Request For Pre-Proposal Forms	Early September
Pre-Proposal Forms due	Early October
Pre-Proposal Listing and Evaluation Report Submitted to ACC	Early November
Pre-Proposal Report Comments due from ACC	Late November
Finalize List of Selected Projects for Additional Consideration	Early December
Submit Request For Proposals to Selected Applicants	Early December
Proposals due	Mid January
Proposal Evaluation Report Submitted to ACC (30 day review)	Mid February
<u>Provide opportunity for Project proponent to present project to ACC</u>	<u>March ACC meeting</u>
Proposal Report Comments due	Mid March
Finalize List of Selected Projects and <u>Submit Report to FERC</u>	Early April
<u>FERC Approval of projects</u>	<u>May</u>
<u>Notify Project Funding to Recipients</u>	<u>May</u>
Funding Available for Invoicing	<u>June</u>

... [1]

- Deleted:** Notify Project Funding Recipients
- Deleted:** Contract Procurement
- Deleted:** April
- Deleted:** Submit Report To FERC
- Deleted:** April

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**Appendix A**  
**Geographic scope of Aquatic Fund**

(See attached)

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## Appendix B

### PRE- PROPOSAL FORM -

#### *Lewis River Aquatic Fund*

**Form Intent:**

To provide a venue for an applicant to clearly indicate the technical basis and support for proposed project. Specifically the project's consistency with recovery plans, Settlement Agreement Fund objectives, technical studies and assessments which support the proposed action and approach.

**Proposal format:**

Please complete the following form for each proposal. Maps, design drawings and other supporting materials may be attached. The request is to be brief in response with a total completed form length of no more than 3 pages of text.

The deadline for Pre-Proposal Form submission is mm/dd/yy. Please submit materials to:

Frank Shrier  
PacifiCorp – LCT 1500  
825 NE Multnomah  
Portland, OR 97232

1. Applicant organization.
2. Organization purpose
3. Project manager (name, address, telephone, email, fax).

*Note: Please attach a resume or other description of the education and experience of the persons responsible for project implementation.*

4. Project Title
5. Summary of Project proposal

*Note: Please include description of how project addresses Lewis River Aquatic Fund priorities and identify any impacts to other resource areas (e.g. wildlife, recreation, etc.).*

6. Project location (including River/Stream and Lat/Long coordinates if available).

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7. Expected products and results (Please attach any drawings).
8. Benefits of proposed Project
9. Project partners and roles.
10. Community involvement (to date and planned).
11. Procedure for monitoring and reporting on results.
12. Project schedule (anticipated start date, major milestones, completion date).
13. Funding requested (estimated cost for project design, permitting (including necessary resource surveys), construction, and monitoring).
14. Type and source of other contributions (Identify cash (C) and/or in-kind (IK), and status, pending (P) or confirmed (Co)).
15. If you have technical assistance needs for this project, please briefly describe such needs.

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## Appendix C

### PROPOSAL FORM -

#### *Lewis River Aquatic Fund*

**Form Intent:**

To provide a venue for an applicant to clearly indicate the technical basis and support for proposed project. Specifically the project's consistency with recovery plans, SA Fund objectives, technical studies and assessments which support the proposed action and approach.

**Proposal format:**

Please complete the following form for your proposal. Maps, design drawings and other supporting materials may be attached.

The deadline for Proposal Form submission is mm/dd/yy. Please submit materials to:

Frank Shrier  
PacifiCorp – LCT 1500  
825 NE Multnomah  
Portland, OR 97232

1. Project Title
2. Project Manager
3. Identification of problem or opportunity to be addressed

Summarize information about the problem or opportunity addressed by your proposal.

4. Background

Provide information related to how this project fits into greater watershed objectives and any previously collected information at the project site (e.g. fish surveys, habitat delineation, etc)

5. Project Objective(s)

State the objectives of your proposal including how the project is consistent with Aquatics Fund objectives and recovery plans. Clearly describe the biological benefits and expected outcome of your project. Describe the technical basis for the objectives including the identification of any supporting technical references. Identify biological metrics to help quantify the scope of the project.

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6. Tasks

State the specific actions which must be taken to achieve the project objectives.

7. Methods

Describe methods to be used. When using Best Management Practices (BMPs) identify sources of BMPs and how they will protect resource values.

8. Specific Work Products

Identify specific deliverable results of the project. Project managers will be required to provide status updates with submission of project invoices.

9. Project Duration

- a. Identify project duration. Note that duration of a project funded from Fiscal Year 20xx appropriations may extend beyond the end of the fiscal year.
- b. Provide a detailed project schedule to include:
  - Initiation of project.
  - Completion date for each milestone or major task.
  - Project close-out site visit (with PacifiCorp, Cowlitz PUD, and ACC representatives)

10. Permits

Identify any applicable permits and resource surveys required for project. Please include timeline for obtaining and any action taken to-date. Applicant will be responsible for securing all such necessary permits. Landowner permission is required prior to finalization of a Funding Agreement with PacifiCorp.

On-the-ground (dirt moving) projects will be required to be in compliance with Sections 401 and 404 of the Clean Water Act, Sections 7 and 10 of the Endangered Species Act, and the National Historic Preservation Act of 1966, as well as Department of the Interior regulations on hazardous substance determinations. Project site surveys may be required in order to comply with these and other regulations.

11. Matching Funds and In-kind Contributions

If applicable, describe any matching funds and/or in-kind contributions that you have secured or have requested through other means. Matching funds are those funds contributed to the project from other funding sources. In-kind contributions may include donated labor, materials, or equipment. Please be specific in your description of contributions and use of volunteers (e.g. ACE construction is donating 8 hours of backhoe operation including operator).

12. Peer Review of Proposed Project

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It is encouraged that the proposal be reviewed by an independent resource professional prior to submission for funding. Focus of such review should be on biological value and proposed methodology. Please note who completed the review and contact information. This does not have to be a third party review, and can come from someone associated with the sponsoring organization.

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### 13. Budget

Provide a **detailed** budget for the project stages (Final design, Permitting, Construction, Monitoring/Reporting) by work task. Include:

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Personnel costs

Labor and estimated hours for each project employee

Operating expenses

Supplies and materials

Mileage

Administrative overhead

If in-kind contributions have been acquired, please note contributions according to project stage within the budget.

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## Appendix D

### Lewis River Aquatics Fund – Individual Project Evaluation Sheet

For each Evaluation Criteria listed below, a determination of “meets” or “does not meet” or a score of 1 to 5 is assigned by project evaluator. If during the Pre-Proposal review the project receives a “does not meet” response to any “Consistency with Fund Objectives and Priorities” component, the proposal will be dropped from further evaluation and funding. A 1 is the lowest score (does not or very unlikely to meet objectives), a 5 the highest score (greater likelihood of meeting objectives). Scores are multiplied by the assigned weighting then totaled for a single project score.

<p><b>A. Consistency with Fund Objectives and Priorities (Meets or Does not meet):</b></p> <ol style="list-style-type: none"> <li>1. Benefit fish recovery throughout the North Fork Lewis River, priority to federal ESA-listed species (Bull Trout, Chinook, Steelhead, and Chum)</li> <li>2. Support the re-introduction of anadromous fish throughout the Basin (Spring Chinook, Winter Steelhead, Coho, and Sea-run Cutthroat)</li> <li>3. Enhance fish habitat in the Lewis River Basin, with priority given to the North Fork Lewis River.</li> </ol>	
<p><b>B. How does the project benefit priority fish species and stocks? (Spring Chinook, Winter Steelhead, Coho, Bull Trout, and Sea-run Cutthroat) (40 % weight):</b></p> <ul style="list-style-type: none"> <li>▪ Does the proposal clearly describe the expected fish benefits of the project?</li> <li>▪ Does the proposal clearly identify the salmonid species and stocks that would benefit from the project?</li> <li>▪ Does the project address a limiting factor(s) to the target species, a limiting life history stage, or an important habitat process or condition?</li> <li>▪ Will the project provide long-term benefits? Does the project provide tangible, on-the-ground benefits?</li> </ul>	<p>Score = _____  multiplied by  4.0 = _____</p>

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<ul style="list-style-type: none"> <li>Is the project generally consistent with the intent (strategies, measures, actions, and priorities) of applicable recovery and planning documents (e.g. Lower Columbia Salmon Recovery Plan)?</li> </ul>	
<p><b>C. Scientific validity and technical quality of proposed project (40% weight):</b></p> <ul style="list-style-type: none"> <li>Is the problem to salmonids and the associated objectives of the proposed project clearly described?</li> <li>Does the proposal employ appropriate <u>methods</u>, adequate design and proper siting?</li> <li>Is it clear how the proposed project will meet its <u>stated purpose and objectives</u>?</li> <li>Is it likely that the project will achieve stated objectives?</li> <li>Does the project provide for implementation monitoring? If so what monitoring protocols will be used? Are the benefits or outcomes from the project measurable (e.g. number of trees planted or amount of structure placed)?</li> <li>Have watershed processes and a larger global aspect been considered in developing the proposal?</li> <li>How does the project fit within the <u>aquatic</u> needs as identified through watershed planning documents, recovery plans, etc?</li> <li>Has the project proposal received <u>peer</u> review?</li> <li>Does the proposal identify any negative or positive impacts to other resource areas (e.g. wildlife, recreation, etc.)?</li> </ul>	<p>Score = _____ multiplied by 4.0 = _____</p>
<p><b>D. Ability for the project proponent to successfully implement proposed project (10% weight)</b></p> <ul style="list-style-type: none"> <li>Does proposal include both appropriate numbers of personnel and experienced team members?</li> <li>Has the applying party submitted proposals in previous years? If their proposal received funding, has it been successfully implemented?</li> <li>Will the project be able to obtain the necessary permits in a timely manner?</li> </ul>	<p>Score = _____ multiplied by 1.0 = _____</p>

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<p><b>E. Cost effectiveness and timeliness (10% weight)</b></p> <ul style="list-style-type: none"> <li>• Does the project have matching funding or in-kind participation? Is there collaboration between numerous parties?</li> <li>• Is the project budget identified by work effort (administration, materials, labor, etc.) and is it appropriate?</li> <li>• Does the project have a reasonable cost relative to the anticipated benefits?</li> <li>• Is the project self-maintaining once completed? If not, how will maintenance be achieved?</li> <li>• Can the project activities be planned and initiated in one year?</li> </ul>	<p>Score = _____  multiplied by  1.0 = _____</p>
<b>Total Weighted Score</b>	<b>XX</b>

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## McCune, Kimberly

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**From:** Malinowski, James [jmalinowski@clark.edu]  
**Sent:** Thursday, October 09, 2008 7:44 AM  
**To:** McCune, Kimberly; ahaspiel@fs.fed.us; pebbles@yakama.com; bghudson@lcfrib.gen.wa.us; Bill Bakke; Brett Swift; Bryan Nordlund; Clifford Casseseka; Curt Leigh; spchinook@comcast.net; Darlene Johnson; Diana MacDonald; Doyle, Jeremiah; HML LRN (Kinne, Eric); George Lee; dixonjfd@dfw.wa.gov; Jeff Breckel; byrnejbb@dfw.wa.gov; Jim Eychaner; Joel Rupley; John Clapp; John Weinheimer; kmiller@tu.org; Lesko, Erik; LouEllyn Jones; M.Reese@tds.net; Melody Tereski; Michelle Day; Nathan Reynolds; turnenet@dfw.wa.gov; Olson, Todd; frazipaf@dfw.wa.gov; pearce@co.skamania.wa.us; Rich.Turner@noaa.gov; Ruth Tracy; Ryan Lopossa; Shannon Wills; Shelley\_Spalding@fws.gov; Shrier, Frank; HML LRN (Branz, Steve); smanlow@lcfrib.gen.wa.us; Steve Vigg; Susan Rosebrough; taalvik@cowlitz.org  
**Subject:** RE: Aquatic Fund - Strategic Plan. . . 7-day comment period

All,

I greatly respect Michelle and her contributions to the ACC. We lose some of our effectiveness when she is unable to attend our meetings. That being said we need a way to avoid the dysfunctional project approval process we went through in the last project cycle. If we don't adopt the proposed language how do we deal with the issue in another way? I don't believe avoiding the issue is acceptable.

Jim Malinowski  
Fish First

-----Original Message-----

**From:** McCune, Kimberly [mailto:Kimberly.McCune@PacifiCorp.com]  
**Sent:** Thursday, October 09, 2008 7:35 AM  
**To:** Adam Haspiel (ahaspiel@fs.fed.us); Athena Sanchez (pebbles@yakama.com); Bernadette Graham Hudson (bghudson@lcfrib.gen.wa.us); Bill Bakke; 'Brett Swift'; Bryan Nordlund; Clifford Casseseka; Curt Leigh; Dan Barrett (spchinook@comcast.net); Darlene Johnson; Diana MacDonald; Doyle, Jeremiah; HML LRN (Kinne, Eric); George Lee; James Dixon (dixonjfd@dfw.wa.gov); 'Jeff Breckel'; Jim Byrne (byrnejbb@dfw.wa.gov); Jim Eychaner; Malinowski, James; Joel Rupley; 'John Clapp'; John Weinheimer; Kathryn Miller (kmiller@tu.org); Lesko, Erik; LouEllyn Jones; Mariah Stoll-Smith Reese (M.Reese@tds.net); Melody Tereski; Michelle Day; Nathan Reynolds; Neil Turner (turnenet@dfw.wa.gov); Olson, Todd; Pat Frazier (frazipaf@dfw.wa.gov); Paul Pearce (pearce@co.skamania.wa.us); Rich.Turner@noaa.gov (Rich.Turner@noaa.gov); Ruth Tracy; 'Ryan Lopossa'; Shannon Wills; Shelley\_Spalding@fws.gov; Shrier, Frank; HML LRN (Branz, Steve); Steve Manlow (smanlow@lcfrib.gen.wa.us); Steve Vigg; Susan Rosebrough; Taylor Aalvik (taalvik@cowlitz.org)  
**Subject:** RE: Aquatic Fund - Strategic Plan. . . 7-day comment period

Attn: ACC Participants

Per Michelle Day's request please see her email below.

Thank you.

K

-----Original Message-----

From: Michelle Day [mailto:Michelle.Day@noaa.gov]

Sent: Wednesday, October 08, 2008 2:36 PM

To: McCune, Kimberly

Subject: Aquatic Fund - Strategic Plan. . . 7-day comment period

Kim,

Could you please distribute the following to the other ACC members?

Thank you,

-Michelle

Hi all,

I was reading the minutes from the last meeting that I was not able to attend. It appears there may be a decision called on a change to the Aquatic Fund - Strategic Plan and Administrative Procedures. The notes say ". . . PacifiCorp will insert edits to the procedures to remove the option of a 7-day comment period and identify that the ACC representative or their proxy must participate at the project decision meeting." Just so others can think about this I am providing some thoughts. I agree that this is an important meeting and everyone should be present if possible, but it is the "if possible." I do not want to exclude entities votes because their representative could not be present. Life happens and sometimes people will not be able to attend. Some of our participating entities only have one representative not multiple people that can cover. If this comes to a vote, I will not support this proposed change.

Thanks in advance for everyone's thoughtful considerations on this matter,

-Michelle

# HATCHERY AND SUPPLEMENTATION PLAN

*North Fork Lewis River*

# Purpose

---

- ⦿ Revisit the relationship between Hatchery and Supplementation Plan (H&S Plan) and HGMP's
- ⦿ What has been done (timeline)?
- ⦿ What still needs to be done (timeline)?
- ⦿ Consistency and remaining questions between both plans
- ⦿ How do we assist in finalizing H&S Plan?

# Settlement Agreement - Section 8.1

## H&S Plan

*...”The Hatchery and Supplementation Program shall be consistent with the ESA, applicable state and federal fisheries policies, and regional recovery plans, and should be consistent with recommendations of the Hatchery Science Review Group (HSRG) and the Northwest Power Planning Council’s Hatchery Review (Artificial Production Review and Evaluation) to the extent practical”...*



# Purpose and Intent of H&S Plan and HGMP's

## H&S Plan

To support self-sustaining, harvestable, native anadromous salmonids

Relies on natural production to meet production goals (eventually)

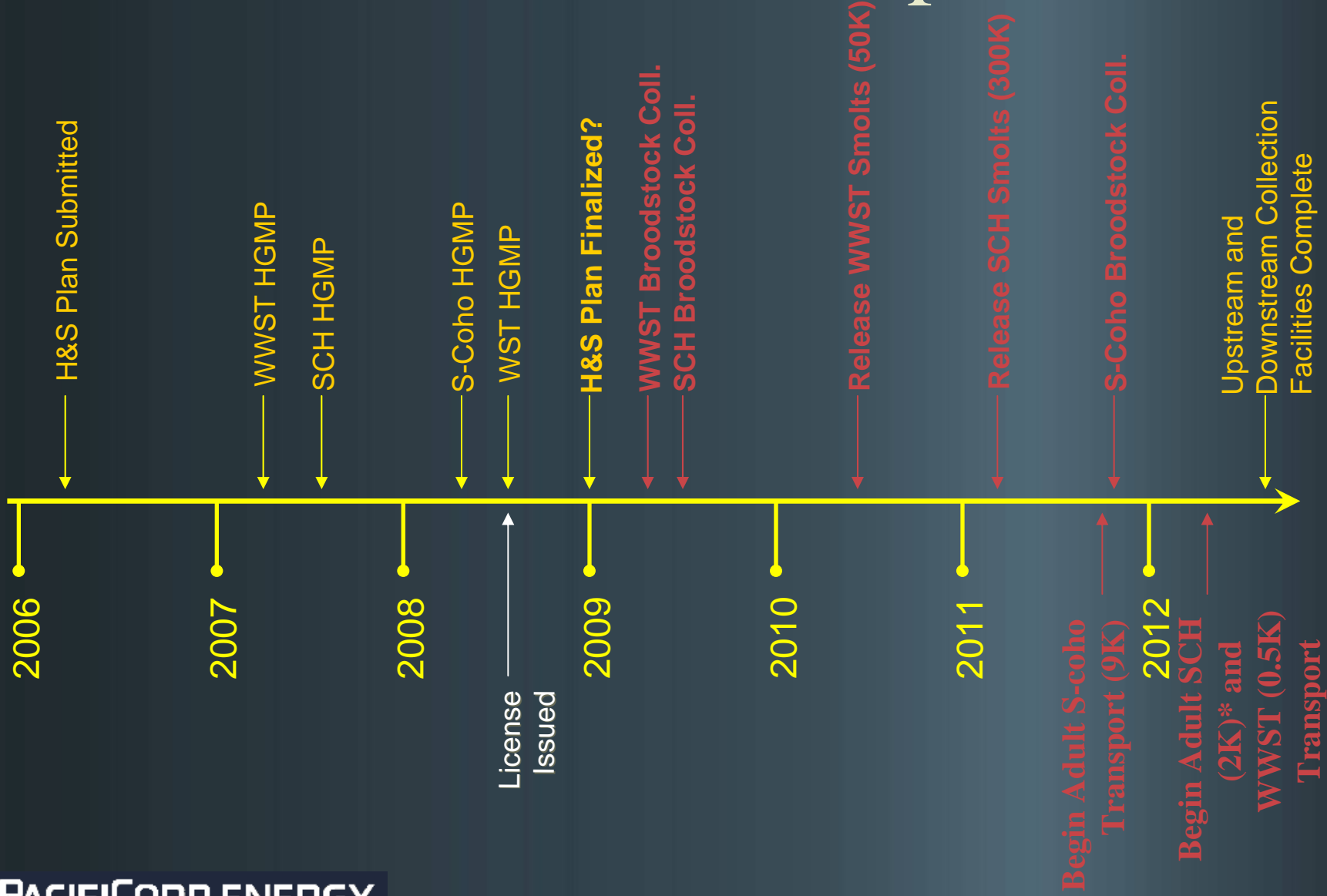
## HGMP

To obtain coverage from ESA take prohibitions as a result of hatchery operations

Relies on artificial production to meet goals

Both Plans involve substantial hatchery support

# H&S Plan Development



## Some Data Gaps and Potential Inconsistencies (with regard to wild winter steelhead)

- ◉ Tagging methods for hatchery reared wild steelhead
- ◉ Kill spawning of wild winter steelhead
- ◉ DNA Analysis – type and suitability
- ◉ Use of alternative collection sites
- ◉ Release location and method of smolts
- ◉ Lack of abundance information in lower Lewis River
- ◉ Rearing Strategies (e.g., family isolation)
- ◉ Pathogen screening procedures and applicability
- ◉ Responsibility for program implementation (e.g., kelt reconditioning, double indexing, upgrades)

# How do we meet implementation timeframe

- Create subgroup to work through remaining details and inconsistencies
- Finalize portions of the HS plan to meet implementation phases (e.g., steelhead)
- HS plan is an adaptive plan that is will undergo a comprehensive review every 5 years.
- Annual Operating Plan could be used to describe the needed details for implementation