

**FINAL Meeting Notes  
Lewis River License Implementation  
Aquatic Coordination Committee (ACC) Meeting  
January 11, 2007  
Ariel, WA**

**ACC Participants Present (23)**

Dan Barrett, Consultant for the Yakama Nation  
 Craig Burley, WDFW (via teleconference)  
 Jim Byrne, WDFW  
 Brad Caldwell, WDOE (via teleconference 12:35pm)  
 Clifford Casseseka, Yakama Nation (via teleconference)  
 Michelle Day, NMFS (via teleconference)  
 Jeremiah Doyle, PacifiCorp Energy  
 Diana Gritten-MacDonald, Cowlitz PUD (via teleconference)  
 Adam Haspiel, USDA Forest Service  
 Eric Holman, WDFW (9:00am – 10:00am)  
 Kaitlin Lovell, Trout Unlimited (via teleconference 10:30am – 11:30am)  
 Eric Kinne, WDFW  
 George Lee, Yakama Nation  
 Erik Lesko, PacifiCorp Energy  
 Jim Malinowski, Fish First  
 Kimberly McCune, PacifiCorp Energy  
 Todd Olson, PacifiCorp Energy  
 Frank Shrier, PacifiCorp Energy  
 Karen Thompson, USDA Forest Service (via teleconference)  
 Rich Turner, NMFS (via teleconference)  
 Steve Vigg, WDFW (via teleconference)  
 Mitch Wainwright, USDA Forest Service (9:00am – 10:00am)  
 John Weinheimer, WDFW (via teleconference)

**Calendar:**

Jan. 17, 2007	ACC - HGMP Review of Comments	WDFW, Vancouver
Jan. 30, 2007	Engineering Subgroup Meeting	Merwin Hydro
Feb. 8, 2007	ACC Meeting	Merwin Hydro
Feb. 14, 2007	TCC Meeting	Merwin Hydro
Jan. 30, 2007	Engineering Subgroup Meeting	Merwin Hydro

<b>Assignments from January 11th Meeting:</b>	<b>Status:</b>
Lesko: Create a schedule relating to the key milestone dates on the HGMP and H&S Plan and present back to the ACC.	Complete – 2/8/07
Burley: Investigate tribes ceremonial and subsistence needs and respond back to McCune.	Complete – 2/2/07
McCune: Email the Draft 1/5/07 Habitat Prioritization Synthesis Workshop meeting notes to the ACC for their information, when	Complete – 1/22/07

available.	
McCune: Email the <i>6.1.2 – Lewis River Upper Flow Release – Jan 2007</i> to the ACC for their further review and comment. All comments are due on or before Monday, February 12, 2007.	<b>Complete – 1/12/07</b>
Lesko: Speak to Will Shallenberger (PacifiCorp Energy) about any geomorphic concerns of water loss due to dissipation or subterranean loss (percolation) relating to the Upper Flow Release 60% designs and report back to the ACC.	<b>Complete – 2/8/07</b>

<b>Assignments from December 14th Meeting:</b>	<b>Status:</b>
Keown: Requested ACC comments on the <i>Draft Hatchery and Genetic Management Plan (HGMP) – North Fork Lewis River Late Winter Steelhead Program</i> via email at <a href="mailto:keownkk@dfw.wa.gov">keownkk@dfw.wa.gov</a> <b>on or before Monday, January 8, 2007.</b>	<b>Complete – 1/11/07</b>
Olson: Include time on the 1/10/07 TCC agenda for ACC discussion with the wildlife biologists relating to their concerns about terrestrial issues.	<b>Complete – 1/3/07</b>
McCune: Ask Mitch Wainwright (USFS) to provide the ACC with the number of elk which are of concern in the Crab Creek winter range area.	<b>Complete - 12/19/06</b>
Shrier: PacifiCorp will work to organize a workshop relating to identifying the knowledge base we have for sharing of expertise relating to the Independent Scientific Review Panel Pre-proposal Discussion.	<b>Complete – 12/21/06</b>
Shrier: PacifiCorp to form technical committee consisting of the USFS, the Tribes and Utilities in order to nail down the acclimation sites.	<b>On going</b>

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

Frank Shrier (PacifiCorp Energy) called the meeting to order at 9:10 a.m. He conducted a review of the agenda for the day and requested a round-table introduction for those participating via teleconference. Shrier asked if attendees had any changes to the Agenda; no changes were requested.

Shrier requested comments and/or changes to the ACC Draft 12/14/06 meeting notes. Karen Thompson (USDA Forest Service) requested the following addition to the notes, which was overlooked in the initial drafts. The additional text will read as follows on page 3 relating to the Independent Scientific Review Panel Pre-proposal Discussion:

**“Karen Thompson (USDA Forest Service) expressed that she does not support an additional review process”.**

In addition, Thompson requested rewording certain text on page 7 relating to the acclimation pond site proposed location discussion which will add further clarification. The text will read as follows:

**“For clarification, Shrier stated that there is no waterfall on the mainstem at this location but there is a waterfall on Curly Creek”.**

**“In addition, all US Forest sites will require a special use permit for all the proposed acclimation sites, although not all will require a forest plan amendment”.**

The ACC attendees present accepted these meeting notes with changes indicated above at 9:30am.

### **Discussion with WDFW and USDA Forest Service Wildlife Biologists – 90 road closure update for Elk and Deer winter range**

Olson provided a quick update to the ACC of the discussions which took place at the TCC meeting on 1/10/07 relating to terrestrial concerns near the preferred acclimation pond site called, “Crab Creek”. Olson informed the ACC attendees that the use of the site would be late February to mid April and PacifiCorp would probably want someone at the site each day. Access to this site would be via driving in, snow shoeing, or snow mobile. The TCC suggested creating a general access plan to limit the general public from going further than a locked gate, provide education to inform general public, and provide additional enforcement, if necessary.

Eric Holman (WDFW) communicated to the ACC attendees that a letter dated May 18, 2006 (**Attachment A**), which is part of the TCC record, further outlines the concerns of WDFW relating to less public use, closure of roads 90 & 25, gates and the need for a workable management strategy that protects big game winter range that is easily understood by the public.

Mitch Wainwright (USDA Forest Service) expressed that a sign currently exists at the access point to Crab Creek and that the Forest Service is closing access this year regardless of the amount of snow. Wainwright further communicated that vehicle tracks have been seen up to the sign but not beyond, so the public seems to be respecting the sign. Wainwright said that if a daily trip is required up to the pond site, that a locked gate would be a good idea.

Olson inquired as to what Wainwright’s thoughts are about PacifiCorp making a daily trip to the site. Wainwright responded that the elk tend to bed down on the road and if they were disturbed it certainly affects the elk. If the general public sees someone going up there, the tendency is for others to want to go up there as well.

Clifford Casseseka (Yakama Tribe) expressed that the animals up there can readjust to the disturbance and will get use to it. The Yakama Nations priority concern is the reintroduction efforts.

Olson expressed that a primary concern is how to manage the activities so we don’t experience a much larger disturbance by the general public.

Holman expressed that the installation of a gate that is clearly marked that the access is for fish maintenance activities only is a critical part of the access plan.

Karen Thompson (USDA Forest Service) expressed that this is a good opportunity for enforcement as well as education.

Craig Burley (WDFW) communicated that it sounds like the next step is that we need to work up a plan to minimize disturbance to the elk while creating a successful acclimation pond site.

### **Update – Acclimation Pond Site Discussion**

The ACC preferred sites are:

Muddy River  
Clear Creek  
Crab Creek

A suggestion was made to include Curly Creek as part of the NEPA analysis.

PacifiCorp suggested that they develop a plan for designing and developing the Acclimation Pond sites.

Olson expressed that as a plan is developed PacifiCorp will present it back to the ACC for review. Adam Haspiel (USDA Forest Service) expressed that there are road and cultural concerns at the Curly Creek site. Shrier responded that no ground disturbance will take place as the pond is portable and the pipe can even be laid above ground. A walking survey will be completed at all sites to ensure that location of the pond site will not disturb or impact cultural resources.

Shrier suggested that PacifiCorp will develop a draft plan, present to the ACC for review and approval, then present to the Forest Service as the NEPA kick-off process for a temporary pond site. Shrier will make a visit to the preferred sites in Spring 2007, create a plan in Summer 2007, and then proceed to the NEPA process.

Break <10:00am>

Reconvene <10:10am>

### **Status of Hatchery & Supplementation Plan - HGMP**

Burley informed the ACC attendees that Keith Keown (WDFW) is retiring as of January 12, 2007 and James Dixon (WDFW) is proceeding with addressing comments received. Erik Lesko (PacifiCorp Energy) expressed that with this latest news; today's meeting will include high level discussion only as Dixon is not present.

Lesko reviewed the needed timeline for completion of the HGMP, as the driver is the winter steelhead program. NMFS requires a 30-day public comment period, so with this in mind NMFS would like to receive the HGMP submittal by the end of January 2007. **The HGMP drop dead date is March 15, 2007.**

In the absence of Dixon, a suggestion was made to meet at another time to specifically address comments and concerns relating to the HGMP with the goal of completing the

document by the end of January. The meeting attendees will include the following participants:

Michelle Day, NMFS  
Eric Kinne, WDFW  
John Weinheimer, WDFW  
Adam Haspiel, USDA FS  
Frank Shrier, PacifiCorp  
Jeremiah Doyle, PacifiCorp  
Kaitlin Lovell, Trout Unlimited

Rich Turner, NMFS  
James Dixon, WDFW  
George Lee, Yakama Nation  
LouEllyn Jones, USFWS  
Erik Lesko, PacifiCorp  
Craig Burley, WDFW (alternate)

Lesko informed the ACC attendees that the HGMP may conflict with three assumptions (1, 6 & 7 indicated below), which were previously outlined in a document, *Updated Discussion Points from August 9, 2006 Handout (Attachment B)* which was produced and submitted by PacifiCorp for discussion purposes. The document is not a collaborative product of the ACC nor has it been endorsed by ACC.

1. *\*Assumption: Integration of natural-origin fish into the hatchery will not create additional rearing and incubation areas or upgrades from what is proposed in Schedule 8.7 of the Settlement Agreement.*
6. *\*Assumption: The release location of wild steelhead from the hatchery and those produced in the upper basin will be in the lower (i.e., near Woodland) Lewis River or at the release pond when completed. WDFW NOTE: This statement may reflect the current Hatchery and Supplementation Plan but the restrictive nature of this assumption makes it inconsistent with the Settlement Agreement. According to Section 4.1.8 (d); "The parties believe there may be benefits from downstream transport of migrating Transported Species via a bypass facility in lieu of trap and transport by truck."*
7. *\*Assumption: All unmarked steelhead entering the Merwin trap will be moved to the upper basin (excluding broodstock).*

*\* Indicates assumptions necessary to remain consistent with Settlement Agreement*

PacifiCorp supports the concepts in the HGMP to the extent that additional facilities are outside the scope of Schedule 8.7

Michelle Day (NMFS) and Shrier both agreed that the HGMP should clearly state if the release points are lower or upper river.

Olson informed the ACC attendees that PacifiCorp will put a schedule together relating to the key milestone dates on the HGMP and H&S Plan and present back to the ACC.

NMFS and WDFW have been collecting DNA samples of non-clipped winter steelhead for the past two years and Shrier expressed that he would like to see this data.

### **Nutrient Enhancement Discussion – allocation of returning bio-mass (Jim Malinowski)**

Jim Malinowski (Fish First) made reference to a fish and carcass distribution table that covers the past three years, as provided by Eric Kinne (WDFW), and expressed that this

data indicates we are starving our streams of nutrients. Fish First is concerned that over 50% of the bio-mass is going out of the basin. Malinowski expressed that a large percentage of bio-mass in the Lewis system should stay in the Lewis system.

Burley expressed that WDFW tries to balance the competing needs for the hatchery fish and distribute the fish appropriately. Burley further expressed that there is a high priority and great benefit to providing food quality fish to people in need through the food bank program, treaty tribe needs and nutrient enhancement. WDFW attempts to use the fish the best way possible and not allocate to just any one entity.

Malinowski asked how much does WDFW monitor and audit fish buyers operations. He further expressed concern regarding the appropriateness of shipping eggs to Japan and why should carcasses be used for cat food. Malinowski strongly expressed that he wants the ACC to be aware of these concerns, and that Fish First will continue to pursue this issue as they want the nutrient program revised.

Olson suggested Fish First continue to provide update of their progress. Malinowski indicated that Fish First will complete an analysis of the Table provided by WDFW and distribute his findings to the ACC for their review and comment.

### **Habitat Prioritization Synthesis Workshop Update**

Shrier informed the ACC attendees that the Habitat Prioritization Synthesis Workshop met on January 5, 2007 and the attendees were:

Jim Byrne, WDFW	Erik Lesko, PacifiCorp Energy
Jeremiah Doyle, CH2M Hill	Kevin Malone, Mobrand Jones & Stokes
George Gilmour, Meridian Environmental	Kimberly McCune, PacifiCorp Energy
Adam Haspiel, USDA Forest Service	Frank Shrier, PacifiCorp Energy
Kimberly McCune, PacifiCorp Energy	

The attendees identified a variety of resources in an effort to create a table which calls out different reaches of streams, where located and how long they are as a tool to use for making informed decisions on future aquatic funding.

Kimberly McCune (PacifiCorp Energy) will email the meeting notes to the ACC for their information, when available.

The next scheduled meeting of the Habitat Synthesis Workshop Sub-committee is Friday, February 26, 2007.

### **Study Updates**

Shrier provided the following study updates:

*Yale Entrainment Study* – Consultants are still working on the data. They are trying to synthesize hydro data and reservoir elevation data. PacifiCorp is working to complete a final draft by the end of February 2007.

*Bull Trout Limiting Factors Analysis Final Report* – The weather is presenting challenges, however a draft will be completed by the end of January 2007 absent of data on two streams.

*Merwin Tailrace Behavior Study* – Analysis is nearly complete and we can expect a final report by the end of the month.

*Merwin Sorting Facility Design* - Working on alternatives on fish trap entrances and will have concepts in the next month for review.

*Constructed Channel* – Hope to have design report within one week. Time will be added to the February ACC agenda for a consultant's presentation.

*Swift Surface Collector Design* – Working towards getting a 30% design as soon as possible so we can begin the permitting process. The ACC will be notified when 30% designs are complete and ready for review.

Lunch <11:40am>

Reconvene 12:30pm>

### **Update – Upper Release Design**

Lesko provided the ACC attendees with copies of the 60% design drawings titled “6.1.2 – *Lewis River Upper Flow Release – Jan 2007*”, as provided by Black & Veatch to be used as a visual tool to discuss why PacifiCorp configured the channel in the way they did.

Lesko informed the ACC attendees that the design drawings are based on comments received from the Washington Department of Ecology (WDOE) last November 2006. McCune will email the drawings to the ACC for their further review and comment. **All comments are due on or before Monday, February 12, 2007.**

Brad Caldwell (WDOE) joined the meeting at 12:35pm and with Lesko's assistance all attendees reviewed the access road, profile and grade control, 270' spawning channel, soil fill area, velocity & depth profile, 8' channel thalweg, 2 to 1 slopes, width of channel which is 25', the 3 control structures within the channel, bypass reach excavation channel, energy dissipation structure (boulder placement), varying of depth & velocity and varying size of spawning gravel.

Caldwell also reviewed a document he provided titled, “*Proposed minimum instream flow for Lewis River in Swift Bypass – Draft January 2006*” (**Attachment C**).

Byrne expressed concern relating to geomorphic issues so Lesko will speak to Will Shallenberger (PacifiCorp Energy) about any geomorphic concerns of water loss due to dissipation or subterranean loss (percolation).

Lesko informed the ACC attendees that PacifiCorp will move forward with permitting and emailing these drawings to the ACC for their 30-day review. If they have any major concerns that may affect permitting, the ACC is asked to submit these concerns as soon as possible.

## Update – BiOp Status and License Issuance

Michelle Day (NMFS) informed the ACC attendees present she is still working on the BiOp. Day indicated that no projections are available at this point as to the completion date.

## Other Topics

Olson informed the ACC attendees that the engineering subgroup meeting notes are available on the Lewis River website at <http://www.pacificorp.com/Article/Article61655.html> and encouraged them to review, if interested.

George Lee (Yakama Nation) expressed concern about the request for a bottom line number relating to the number of fish the Tribe requires relating to ceremonial and subsistence needs.

## Agenda items for February 8, 2007

- Constructed Channel – Consultants Presentation
- Draft Limited Factors Analysis Discussion
- Acclimation Pond Site Plan Update
- Milestone Schedule (H&S Plan)
- Study Updates
- BiOp Update
- HGMP Update

February 8, 2007	March 8, 2007
Merwin Hydro Facility	Merwin Hydro Facility
Ariel, WA	Ariel, WA
9:00am – 3:00pm	9:00am – 3:00pm

## Meeting Adjourned at 1:30pm

## Handouts

- Final Agenda
- Draft ACC Meeting Notes 12/14/06
- WDFW letter dated 5/18/2006 regarding Winter Access – 90 and 25 roads, (Attachment A)
- Updated Discussion Points from August 9, 2006, as provided by PacifiCorp Energy (Attachment B)
- Draft Proposed minimum instream flow for Lewis River in Swift Bypass, Draft January 2006 (Attachment C)





State of Washington  
**DEPARTMENT OF FISH AND WILDLIFE**

Mailing Address: 2108 Grand Boulevard Vancouver, WA 98661 (360) 696-6211

May 18, 2006

Mitch Wainwright  
Wildlife Biologist  
Mt. St. Helens NVM  
42218 N.E. Yale Bridge Road  
Amboy, WA 98601

Dear Mitch,

Subject: Winter Access – 90 and 25 Roads

This letter is a follow-up to our recent meeting regarding motorized vehicle traffic and its impacts to wintering elk in the Lewis River drainage. Of specific concerns are recreation access to the lower portions of the 90 and 25 roads during the winter months. The Washington Department of Fish and Wildlife (WDFW) has previously commented on the winter recreation program as it relates to snowmobile use and impacts to wintering big game. Winter recreation in the Lewis River drainage is going to increase dramatically, especially with current development underway. We feel that it is important to implement a workable management strategy that protects big game winter range and is easily understood by the public.

At our Vancouver meeting on April 6<sup>th</sup>, we indicated that a road closure strategy should be developed that puts into place a specific winter closure that is implemented each year. Our strategy would be a road closure plan that does not vary from year to year. With this strategy, the agencies would know what is expected for road management and the public would understand the consistent rules. Most significantly, critical habitats would be managed to reduce winter stress.

Our preferred plan for the 90 Road would be to place a gate at the 90/51 junction and close the road on December 1 of any year, independent of winter conditions. The road would be re-opened on April 1<sup>st</sup>. For the 25 Road we would recommend a similar December 1 closure at the U.S. Forest Service (USFS) boundary, it should also re-open on April 1<sup>st</sup>. Road closures in this area would be consistent with USFS identified biological winter range that is found on the lower end of the 25 Road.

Page 2.

Furthermore, this plan would focus motorized winter recreation activities on established, formal snow-park areas such as Marble Mountain, Wakepsih and Lone Butte. Each of these recreation areas is location at higher elevations, offering more consistent snow conditions. More importantly, they are of lesser value to wintering wildlife.

It is our opinion that annual closures of both the 90 and 25 roads would be consistent with the Gifford Pinchot Forest Plan goals for wildlife and recreation. A specific annual policy on winter road closures needs to be developed and implemented. This policy should not be open to interpretation based upon the public, USFS, or WDFW view of so called extreme winter conditions. These restrictions would be in place annually and would become standard protocol for wildlife protection. Pressure from snowmobile use in the future will only increase the conflict between secure winter wildlife habitat and recreation. Our agency would like to work with the USFS to finally come up with a workable plan for wildlife protection in the Lewis River drainage.

Please review our suggestions with other USFS staff and let me know what we need to do to further the process for developing a solution to this issue. Thanks for you attention to this matter.

Sincerely,

David Anderson  
District Wildlife Biologist  
P.O. Box 68  
Trout Lake, WA 98650  
509-395-2232

dpa

cc: Calkins - WDFW  
Meyers - WDFW  
Miller - WDFW  
Holman - WDFW  
Kolb - WDFW  
Dowd - USFS  
Mulder - USFS

**PACIFICORP ENERGY'S  
UPDATED DISCUSSION POINTS FROM AUGUST 9, 2006 ACC HANDOUT**

1. \*Assumption: Integration of natural-origin fish into the hatchery will not create additional rearing and incubation areas or upgrades from what is proposed in Schedule 8.7 of the Settlement Agreement.
2. Assumption: Integrated program can be completed within current hatchery work routine (i.e., no additional manpower needed)
3. Assumption: Integrated fish and or eggs will not be transported or planted anywhere other than the North Fork Lewis River.
4. Assumption: Integrated fish produced at the hatchery are to be used to initiate the supplementation program and not available for harvest until recruitment goals are met and sustainable.
5. Question: The H&S plan calls for operating segregated hatchery programs in the lower river. What programs are proposed to evaluate the effects of mixing wild and hatchery stocks (both smolt and adults)?
6. \*Assumption: The release location of wild steelhead from the hatchery and those produced in the upper basin will be in the lower (i.e., near Woodland) Lewis River or at the release pond when completed.
7. \*Assumption: All unmarked steelhead entering the Merwin trap will be moved to the upper basin (excluding broodstock).

\* Indicates assumptions necessary to remain consistent with Settlement Agreement

**Proposed minimum instream flow for Lewis River in Swift Bypass**  
**Draft January, 2006**

Existing salmonids in bypass:

April 21, 2002 in dewatered canal found: 579 rainbow, 510 whitefish, 42 bull trout, 11 coho, 9 cutthroat, 5 brook, and 3 chinook.

September 26, 2005 in canal drain and canal found: 394 cutthroat, 70 rainbow, 12 kokanee, 8 spawning chinook, 5 bull, and 5 coho. There were 8 spring chinook (weight 8 to 15 pounds) actively spawning in the canal drain constructed channel. There were large, fat rainbows in the canal up to 8 pounds. Several cutthroat found in the canal drain were large enough to spawn.

Months	Flow limits (55200 ac-ft total)	Spawning time of existing fish species	Other fish lifestages	9/25/2003 fully protects resident & anadromous habitat - chinook, coho, steelhead	9/14/2005 protects 96% resident fish habitat - bull, rainbow, cutthroat, kokanee	9/14/2005 protects 75% resident fish habitat - bull, rainbow, cutthroat, kokanee	9/14/2005 protects 50% resident fish habitat - bull, rainbow, cutthroat, kokanee	12/21/2005 resident fish habitat - bull, rainbow, cutthroat, kokanee, mitigated by constructed channels
51 75 76 76 76 54 54 54 61 76 56 51	January February March April May June July August September October November December	Max of 100 cfs for both channels  Cutthroat start Feb 1 Rainbow start March 15  Max of 17078 ac-ft and max 80 cfs for both channels Max of 100 cfs for both channels	Rearing trout and salmon juveniles year round  Incubation calculated as 2/3 of spawning flow	225 225 225 325 325 325 215 175 175 175 225 225 225	150 150 150 225 225 225 175 175 175 225 225 225	100 100 100 100 100 100 100 100 100 100 100 100	50 50 50 50 50 50 50 50 50 50 50	50 76 76 76 76 54 54 54 54 66 76 76 50

Total acre-feet equals 45033. This leaves 10167 acre-feet for canal drain constructed channel which equals 14 cfs.

	prefer depth ft.	prefer velocity fps	
Mostly rainbow cutthroat	.6 - 1.2 .4 - .7	1.5 - 2.5 .8 - 1.1	at 70 cfs = 40 feet wide at 51 cfs = 23 ft. wide 75-100% preference optimum range (.3 - 1.6)
Some bull kokanee coho	.5 - 2 .25 - 1.2 1 - 2.2	.2 - 1.2 .25 - 2.25 .8 - 2	
54 chinook	1 - 1.7	1.2 - 2.2	
Someday steelhead	1 - 1.7	2 - 3.2	