

**FINAL Meeting Notes**  
**Lewis River License Implementation**  
**Aquatic Coordination Committee (ACC) Meeting**  
**April 21, 2005**  
**Ariel, Washington**

**ACC Participants Present (14)**

Arnold Adams, PacifiCorp  
 Jeff Breckel, The Lower Columbia River fish Recovery Board  
 Michelle Day, NOAA Fisheries  
 Diana Gritten-MacDonald, PUD No. 1 of Cowlitz County  
 Janne Kaje, Cowlitz Indian Tribe (Steward & Assoc)  
 Erik Lesko, PacifiCorp  
 Jim Malinowski, Fish First  
 Kimberly McCune, PacifiCorp  
 Todd Olson, PacifiCorp  
 Frank Shrier, PacifiCorp  
 Eugene Stagner, US Fish and Wildlife (via teleconference)  
 Karen Thompson, US Forest Service  
 Ruth Tracy, USDA Forest Service  
 John Weinheimer, WDFW

**Calendar:**

May 4, 2005	Merwin Trap Engineering Subgroup Meeting	Merwin, WA
May 11, 2005	TCC Meeting	Merwin, WA
May 19, 2005	ACC Meeting	TBD
May 16, 2005	ACC Comments due on Spawning Gravel Studies	

<b>Assignments from April 21st Meeting:</b>	<b>Status:</b>
<b>ACC: Decision on approval of Ground Rules at May 19<sup>th</sup> meeting.</b>	<b>Approved 5/19/05</b>
Shrier: Contact FERC to see if aquatic projects identified in the Settlement Agreement will be included in their DEIS	<b>*see below</b>
McCune: Add more than one administrative number to all future Agendas for ACC participants to contact in case of emergency or for late arrival notification.	<b>Complete – 4/22/05</b>
McCune: Notify Gritten-MacDonald of details relating to May 4 <sup>th</sup> Merwin Subgroup meeting.	<b>Complete – 4/22/05</b>
McCune: Where the Ground Rules references language in the Settlement Agreement, add the verbatim language from the Settlement Agreement to the back of the Ground Rules document as an Appendix C.	<b>Complete – 4/22/05</b>
Olson: Make requested revisions to the Ground Rules and distribute to the ACC and TCC for their review and approval.	<b>Complete – 4/28/05</b>
McCune: Notify absentee ACC representatives of 7-day review and comment period relating to the 2005 Aquatics Funding Process document.	<b>Complete – 4/25/05</b>

\* Aquatic projects identified in the SA will NOT specifically be included in FERC's DEIS. Poor timing to do now; best to include as comments on the DEIS. It is also possible to include potential acclimation pond sites as comment to DEIS.

<b>Assignments from March 10th Meeting:</b>	<b>Status:</b>
<b>ACC: Decision on whether the 2005 Aquatics Fund should be distributed this year prior to finalization of the Funding Process Document. * NOTE: This decision statement was modified at the April 21<sup>st</sup> meeting prior to a decision.</b>	<b>Complete – 4/21/05</b>
McCune: Email copy of Draft Habitat Preparation Plan to all ACC representatives and interested parties, and post on Lewis River Implementation website.	<b>Complete – 3/11/05</b>
McCune: Email copy of Swift Bypass Reach Implementation Projects to all ACC representatives and interested parties, and post on Lewis River Implementation website (password protected).	<b>Complete – 3/11/05 &amp; 3/21/05</b>
McCune: Email copy of Final "revised" Meeting Minutes for 2-9-05 to all ACC	<b>Complete – 3/11/05</b>

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

### Opening and Review of Agenda

Round table introduction and review of agenda for the day. Shrier announced to ACC attendees that Gene Stagner (US Fish & Wildlife ) was on the teleconference line.

### Review of Meeting Notes

Jim Malinowski (Fish First) requests paragraph 3 on page 5 stricken regarding the Confidentiality Agreement as he doesn’t recall making this statement.

Karen Thompson (US Forest Service) requests clarification in the last paragraph on page 8 regarding EIS. The ACC agreed to strike the second sentence.

There was general discussion regarding FERC’s EIS and the ACC agreed to add this topic to the May 19<sup>th</sup> Agenda.

Shrier said he could call FERC to get clarification on if aquatic projects identified in the Settlement Agreement would be a part of their DEIS analysis.

Michelle Day (NOAA Fisheries) requests PacifiCorp to add a “date complete” in the Assignments section of the notes for all meeting notes going forward. In addition, Day requested changes/additions to page 4, regarding electric barrier to read as follows:

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

In addition, Day requested an addition for clarification to the last paragraph of Yale-Merwin Entrainment Studies Update on page 7 to read as follows:

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

### Update Funding Opportunity

Stagner communicated to the ACC that he will not be able to pull together the project at this time.

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

Janne Kaje, (Cowlitz Indian Tribe - Steward & Assoc.) communicated to the ACC that getting the funding process right is preferred and spending the funds next year (2006).

Todd Olson (PacifiCorp) provided handouts and an update on developing a 2-step Funding approval process

Kimberly McCune (PacifiCorp) handed out a hard copy of a draft Pre-proposal form (1<sup>st</sup> step) to attendees.

Olson communicated that PacifiCorp wants to get the formal procedure together rather quickly but did not want to lose an opportunity in the absence of the formal process.

Jeff Breckel (Lower Columbia River fish Recovery Board) said that while projects may be of some benefit it may be too late to get the funds together this year due to permitting processes, etc. He further explained that leveraging these funds whenever we can with other grant monies is preferred. Breckel said that timing, framework and leverage are all important aspects so he suggested the ACC not make the funds available this year without the formal process.

Malinowski strongly suggested the ACC look closely at the SRF (Salmon Recovery Funding) Board funding process as a model.

Olson indicated that his focus at this time is on how to evaluate the proposed projects. Janne said that the Pre-proposal form is not intended to address Malinowski's concerns at this time. Olson further communicated that we wish to kick off a 2-step approval function, and that the draft presented to the ACC is for discussion purposes only.

Ruth Tracy (USDA Forest Service) is concerned at the slow pace in which the funding process is going. Leveraging funds together makes the process more palatable to everyone. She doesn't want to lose opportunities when we could begin initial work such as preliminary surveys.

Shrier communicated that the ACC has only met twice so it's early in the ACC activity. He said that we could get the criteria in place by this June, then after that the ACC can ask for proposals and be ready for next year's work.

Thompson indicated her concern about the April 2005 deadline. Olson said we need to make the funds available, but if we don't use them the funds carry over to next year. The Settlement Agreement gives us one year to put the funding process together, however, because the Funds are available now, we should work diligently to get a Funding Process in place.

Day clarified that she prefers to see a process in place before we spend the funds.

Ruth suggested language change to the Decision Statement. Change "Decision on whether the 2005 Aquatics Fund should be distributed *this year* prior to finalization of the Funding Process Document" to "Decision on whether the 2005 Aquatics Fund should be distributed prior to finalization of the Funding Process Document".

The ACC concurred the importance of getting the Funding Process formalized first, however if a good project opportunity presents itself then the ACC can decide if it wants to spend the funds and proceed without completion of the formal process.

The ACC is concerned that the goal is to have the funding documents ready for approval by June 2005. Janne suggested a more active subgroup to specifically address the funding document process. The ACC should proceed as aggressively as possible.

Day suggested the ACC add to the May agenda a draft of the funding document which has been flushed out by the subgroup with a goal of obtaining a final draft by the June meeting.

Tracy indicated that she would like to contribute to the subgroup.

Thompson suggested including a review timeframe for the ACC. Arnold Adams (PacifiCorp) asked if it would be appropriate for the US Forest Service to include one of their current proposals in the guideline document. Janne suggested a “mockup” as an example for the ACC to review. Malinowski communicated that he is not available until the end of May and cannot attend meetings, however he can provide comment via email.

Diana Gritten-MacDonald (PUD No. 1 of Cowlitz County) cautioned the ACC not to reinvent the wheel relating to the creation of the funding document, as there are similar processes used all over the region which the ACC could make use of.

There was general discussion between Gritten-MacDonald, Breckel and Malinowski regarding funding database, format and funding sources.

Malinowski communicated that his pet-peeve about the SRF Board process is that monitoring should not be done by the project proponent. He is not convinced that the project proponent can provide the level of monitoring which is substantive. Funding to agencies like US Fish & Wildlife to do the monitoring, rather than project proponent, is a possible solution.

Day requested that the topic of “monitoring by project proponent” be a topic of broader discussion for the subgroup.

Thompson communicated that this is an opportunity to collaborate as a group and resolve some of these issues.

Olson requested participation of volunteers for the funding process subgroup. The subgroup participants are:

Todd Olson, PacifiCorp  
Jeff Breckel, The Lower Columbia River fish Recovery Board  
Janne Kaje, Cowlitz Indian Tribe (Steward & Assoc)  
Ruth Tracy, USDA Forest Service  
Jim Malinowski, Fish First (email only for 1 ½ months)

**Decision Outcome:** Representatives were given the opportunity to provide a yes or no response given the decision statement “Whether the 2005 Aquatics Fund should be distributed this year prior to finalization of the Funding Process Document”. All ACC representatives in attendance gave a no response. It is the intent of the ACC that there be no distribution of funds prior to completion of a formal process.

Break <10:20am>  
Reconvene <10:30am>

### **Ground Rules Comments Discussion**

Olson reviewed the combined ACC/TCC version of the ground rules that contained Stagner’s comments and the TCC response as provided at the April TCC meeting. As he reviewed the document, Olson requested comments from the ACC, but noted a decision was not required at this time, but we should try and finalize at the May meeting.

Day requested clarification in the first paragraph on page 3(b) and add “of the Agreement”. Day also requested retention of the text on page 3(e) below and the ACC concurred:

*(e). At any juncture where Consultation, discussion or other contact with the either the TCC or ACC is required by the Agreement or New Licenses, when requested by the Services or as required by the Agreement, the respective Coordination Committee Coordinator shall schedule an opportunity to discuss the relevant issue with the respective Coordination Committee. This event shall consist of either a*

*conference call, in-person meeting, or other appropriate forum to enable full consideration of the issue.*

Malinowski requested he be added to Appendix A, as a TCC Designated Representative.

Breckel communicated that a formal letter of designated representative is an implied obligation of being engaged.

Shrier recommended the following language to be added to Interested Parties, page 3:

*To the extent desired by an individual or party, they may receive respective Coordination Committee information and attend meetings; however they will not be included in the Consensus process or during confidential sessions, unless so designated by the respective party.*

The ACC reached consensus that the Brainstorming language on Page 7 is to stay in the document. Thompson may offer up additional language and/or placement of Brainstorming language in the future via email.

The group discussed revising Decision Making # 2 statement to “The group may decide when there has been enough discussion about a topic and they are ready for a decision to be scheduled.”

Day suggested an edit to dispute resolution language on Page 7 as follows:

*If agreement is not possible, minority parties may pursue Dispute Resolution (see below), **or other agreed upon approach.***

The ACC requested Olson add language to the paragraph on Page 8 relating to absence of a representative. Modify to read: “To account for the absence of a Representative during a decision making process, decisions will be considered “informal” for a period of 7-continuous days post decision **unless time is extended by the involved committee**”.

Malinowski suggested adding dispute resolution language from the Settlement Agreement and include in the back of the Ground Rules document as an Appendix C. In next version, where the Ground Rules references language in the Settlement Agreement, add the verbatim language from the Settlement Agreement as an Appendix.

Revisions to the Ground Rules will be made by PacifiCorp and distributed to the ACC and TCC for their review and approval.

### **Fish Passage Engineering Subgroup Update**

McCune provided an update of the Fish Passage Engineering subgroup activities by way of meeting notes taken at the March 22, 2005 subgroup meeting in Olympia, WA.

The Agenda and meeting notes are attached as Appendix A.

Gritten-MacDonald requested PacifiCorp keep her informed of future subgroup meetings. Olson will discuss with Brent Denham (PacifiCorp) the reporting process of the engineering subgroup activities back to the ACC.

### **Merwin Fyke Net Repairs**

Shrier noted that the Merwin fyke net had been repaired and placed back in operation.

### **Habitat Preparation Plan**

With a minor edit the HPP is now final. Kaje asked WDFW if the adults released above the dams could be harvested by sport fisherman. John Weinheimer (WDFW) said that upstream of Swift dams it's catch and release only, not sure about the other tributaries except that fishing is closed after October 30<sup>th</sup>.

## **Update on Hatchery and Supplementation Plan**

Shrier indicated that PacifiCorp is moving ahead for request for proposals. In addition, the Yakama Tribe will probably be putting together a subgroup for the Supplementation portion.

## **Stress Release Pond Site**

McCune distributed a map illustrating the locations of two potential release pond sites and the criteria as provided in the Settlement Agreement.

Shrier reviewed the documents with the ACC and described the details of the two sites and the criteria that it has to be downstream of Eagle Island. The ACC has a 30-day review, however, PacifiCorp makes the selection and is diligently moving forward as quickly as possible, with appraisal and due diligence on property.

Janne said that further upstream the better for fish mortality.

## **Upper Swift Canal release**

Any ACC attendee may visit the upper canal release site today. The release site must be identified by Fall 2005.

Lunch <12:20pm>

Reconvene <1:00pm>

## **Swift Upper Release Site Visit**

The site visit began at 1:00pm and the attendees were:

Frank Shrier, PacifiCorp  
Erik Lesko, PacifiCorp  
Arnold Adams, PacifiCorp  
John Weinheimer, WDFW

Diana Gritten-MacDonald, PUD No. 1 of Cowlitz County  
Michelle Day, NOAA Fisheries  
Janne Kaje, Cowlitz Indian Tribe (Steward & Assoc.)

Attendees were generally supportive of the location of the upper release point.

## **Miscellaneous**

The ACC agreed to add more than one administrative number to all future Agendas for ACC participants to contact in case of emergency or for late arrival notification.

## **Next Scheduled Meetings**

Thursday, May 19, 2005 (location TBD - *Janne will contact McCune and advise if Cowlitz Indian Tribe location is available for the ACC*)

Thursday, June 9, 2005 (location TBD)

Thursday, July 14, 2005 (location TBD)

Thursday, August 11, 2005 (location TBD)

## **Agenda items for May 19, 2005**

- Decision on Ground Rules
- Discussion on funding process
- Updates of smaller projects
- Decision on stress release ponds location
- EIS discussion
- Potential Acclimation Pond locations

## Handouts

- Final Agenda
- Ground Rules (color w/Stagner and PacifiCorp comments)
- Draft Meeting Notes 3/9/05
- Draft Fish Behavior Study
- Potential Stress Release Pond Sites
- Upper Release Spillway Plunge Pool Aerial
- Pre-proposal Form – Lewis River Aquatic Fund – Version 041405
- Aquatic Coordination Committee – Funding Processes and Procedures - Version 041405
- Terrestrial and Aquatic Coordination Committees Draft Structure and Ground Rules – Version 041405

## Appendix A

### Lewis River Settlement Agreement Implementation ACC Engineering Subgroup

#### Meeting #1 FINAL Agenda

**March 22, 2005**

**10:00 AM to 1:30 PM**

**Natural Resource Building, Room 635**

**1111 Washington Street, SE**

**Olympia, WA 98501**

#### **1) Administrative**

- a) Introductions & Attendance
- b) Review Meeting Agenda
- c) Engineering Subgroup purpose and authorities.
- d) Agree on decision making protocols, documentation protocols, review cycles, meeting scheduling and logistics for future activities.

#### **2) 4.2 Merwin Trap & 4.3 Merwin Upstream Collection & Transport Facility**

- a) Review settlement agreement items associated with the Merwin upstream passage.
  - i) 4.2a Fyke Repair
  - ii) 4.2b Merwin Trap Flow Restrictions
  - iii) 4.2c Merwin Trap Upgrades
  - iv) 4.2d Interim Merwin Trap Operations
  - v) 4.3 Merwin Upstream Collection and Transport Facility
- b) Review prior related work contained in AQU 5
- c) Review Project schedule
- d) Review site plan and photo's of dam, existing trap entrance, and entrance channel.
- e) Summarize specific project goals:
  - i) Fishway entrance improvements
  - ii) Fish trap/lift improvements
  - iii) Addition of a new sorting facility at the dam site
  - iv) Present sorting facility configurations and layouts currently being reviewed by Pacificorp.
- f) Present 4.2 & 4.3 Facility Design Criteria for review and comment.

#### **3) 6.1 Flow Releases in the Bypass Reach; Constructed Channel**

- a) Review settlement agreement items associated with the Upper Release Point.
  - i) 6.1 Flow Releases in the Bypass Reach; Constructed Channel
  - ii) 6.1.2 Construction of Upper Release Point
- b) Review project schedule
- c) Review Site Plan & Locations
- d) Discuss alternatives for upstream fish passage barriers to be designed & constructed at the upper release point.

#### **4) 4.4 Downstream Transport at Swift Dam**

- a) Advise Group of intent to coordinate the facility design and timing with facility improvements being contemplated to pass the newly calculated PMF.

#### **5) Closing**

- a) Review the process, action items and timing for the Engineering Subgroup to present the ACC with the following:
  - i) Approval of the Facility Design Criteria Document dated March 22, 2005 to be used as the basis for detailed engineering required to meet the measures contained in the



Lewis River Settlement Agreement sections 4.2c Merwin Trap Upgrades & 4.3 Merwin Upstream Collection and Transport Facility.

- ii) Recommendations for fish passage barrier systems that would be applicable for the design & construction of the facility required to implement the measures contained in 6.1.2 Construction of the Upper Release Point.

**Meeting Summary Notes**  
**Lewis River License Implementation**  
**Merwin Trap Engineering Subgroup**  
**March 22, 2005**  
**Olympia, WA**

**Subgroup Participants Present: (9)**

Monty Nigus, Black & Veatch  
 Bryan Nordlund, NOAA Fisheries  
 Brent Denham, PacifiCorp  
 Erik Lesko, PacifiCorp  
 Kimberly McCune, PacifiCorp  
 Dana Postlewait, R2 Resource Consultants  
 Pat Powers, WDFW  
 Eric Kinne, WDFW  
 Curt Leigh, WDFW

<b>Assignments from March 22nd Meeting:</b>	<b>Status:</b>
PacifiCorp: Provide group with existing project drawings.	Complete 3/0/05, to be distributed on 5/4/05
PacifiCorp: Keep subgroup appraised of PacifiCorp fish migration study efforts.	Will have study at next meeting, Frank is lead
PacifiCorp: Investigate and report background if available on why two of the trap entrances were abandoned in 1980.	Arnold Adams researched - * see below
PacifiCorp: To email pdf diagram of sorting process diagrams to Erik Kinne	Complete 4/1/05
Subgroup: to review Facility Design Criteria document and provide comment by March 28, 2005 if possible, regardless PacifiCorp will forward revised draft for full review the first week in April.	Complete - 4/12/05

\* Interviewed all onsite personnel likely to have knowledge of traps. Traps had been blocked off before 1980's but no one was on staff when it happened. I passed several names of retired employees to Brent for follow up if more history required.

The pumps associated with traps 2 & 3 were operated once per year until 1999 when the switchgear was replaced and no new breakers were purchased for the pumps. Engineering's assessment was that the motors were in need of a rewind or with today's standards replacement with a lower voltage motor and since they were not being used no justification could be made to spend capital dollars to fix them.

**Handouts**

- o Agenda
- o Draft Facility Design Criteria (SA 4.2 and 4.3)
- o AQU5 (Aquatic Study prepared by Montgomery Watson Harza in association with Mobrand Biometrics)
- o Lewis River Implementation Aquatic Engineering Subgroup Power Point

**Administrative**

Introductions of attendees

Engineering subgroup would like 2-3 weeks to review large documents prior to approval.

Next meeting at Merwin Hydro facility for site visit.

Summary notes will be provided and sent to engineering subgroup for review.

**4.2 Merwin Trap & 4.3 Merwin Upstream Collection & Transport Facility**

Brent Denham (PacifiCorp) reviewed pertinent SA items with engineering subgroup.

- 4.2a Fyke repair – completed 3-14-05.
- 4.2c Merwin trap engineering upgrades – schematic design to be completed 11-30-05. Final design to be complete 90 days after issuance of License.
- 4.3 Merwin Upstream Collection & Transport Facility – 90% design drawings to ACC by 4-30-07.

Dana Postlewait (R2 Resource Consultants) presented and reviewed with the subgroup the AQU 5 Appendix 1 (Engineering Feasibility Study for Fish passage facilities – Phase 2) prior work 4.2 & 4.3 Draft Schedule was presented to the subgroup. (see handouts)

Denham communicated a historical Merwin overview to familiarize the engineering subgroup with Merwin history, aerial photos of hydro facilities, 4<sup>th</sup> Unit / Fish Gallery, Penstocks, engineering drawing of existing collection gallery, existing fyke and existing fish lift.

#### **4.2 & 4.3 Project Goals**

Engineering subgroup technical expertise discussion regarding the following:

- Fishway entrance improvements
- Fishway trap/lift improvements
- Addition of a new sorting facility at the dam site
- Presented sorting facility configurations and layouts currently being reviewed by PacifiCorp.
- Subgroup agreed they need to build consensus on side boards and overall design.

Subgroup received and reviewed the following documents:

- Five (5) engineering schematic options of Merwin sorting transport facilities.
- Sorting requirements / Design criteria document (March 22, 2005)

Break 11:30am

Reconvene: 11:40am

Subgroup agreed that additional data analysis may need to be completed as part of the design process to finalize the Design Peak Daily Run sizing.

#### **Upstream Sorting Process at Merwin Fish Trap**

Postlewait presented to the subgroup for review and comment the Spring Chinook Adult Fish Handling Process design; flow exceedance curves for Merwin and fish trap entrance conditions.

Postlewait presented to the subgroup for review and comment the Facility Design Criteria (fishway entrance, operating range criteria & design value) to include but not limited to trap & sorting facility water supply, preferred temperature requirements for migration, transport channel, fish ladder, fish trap, fish hopper, distribution flume, conveyance flume, sorting facility holding volume and flow.

#### **6.1 Flow Releases in Bypass Reach**

Subgroup reviewed total annual release quantity, timing, discharge, location of releases, existing canal drain, upper release maximum flow, combined flow schedule, aerial photos of bypass reach and upper release.

#### **Upstream Passage Fish Barrier**

Subgroup is not confident that an electric barrier is the preferred alternative. Physical barrier, velocity barrier, flow pipe, and depth barrier methods are preferred options for further consideration.

Meeting adjourned at 2:15pm