

**Lewis River Hydroelectric Projects Settlement Agreement
Aquatic Coordination Committee (ACC)
Meeting Agenda**

Date & Time: Thursday, May 9, 2019
9:00 a.m. – 1:45 p.m.

Place: Merwin Hydro Control Center
105 Merwin Village Court
Ariel, WA 98603

Contacts: Erik Lesko: (503) 412-8401

Time	Discussion Item
9:00 a.m.	Welcome <ul style="list-style-type: none"> ➤ Review Agenda and ACC 4/11/19 Meeting Notes ➤ Comment & Accept Agenda and 4/11/19 Meeting Notes
9:10 a.m.	Public Comment Opportunity
9:15 a.m.	Upriver Salmon Redds Distribution Update; Lesko
9:45 a.m.	Lewis River In-Lieu; USFWS and NOAA Fisheries
10:45 a.m.	Break
11:00 a.m.	Lewis River In-Lieu continued
12:00 p.m.	Lunch
12:30 p.m.	Study/Work Product Updates <ul style="list-style-type: none"> ○ ATS Plan Update ○ Merwin Upstream Passage – Status ○ Swift Floating Surface Collector – Status ○ NOR Tracking Update; NOAA response
1:30 p.m.	<ul style="list-style-type: none"> ➤ Next Meeting’s Agenda ➤ Public Comment Opportunity Note: all meeting notes and the meeting schedule can be located at: http://www.pacificorp.com/es/hydro/hl/lr.html#
1:45 p.m.	Adjourn

Join by Phone

+1 (503) 813-5252 [Portland, Ore.]

+1 (855) 499-5252 [Toll Free]

Conference ID: 6325627

FINAL Meeting Notes
Lewis River License Implementation
Aquatic Coordination Committee (ACC) Meeting
May 9, 2019
Merwin Hydro Control Center
Ariel, WA

ACC Representatives Present (17)

Kim McCune, PacifiCorp
 Chris Karchesky, PacifiCorp
 Erik Lesko, PacifiCorp
 Jeremiah Doyle, PacifiCorp
 Briana Weatherly, PacifiCorp
 Todd Olson, PacifiCorp
 Levi Pienovi, PacifiCorp
 Eli Asher, Cowlitz Indian Tribe
 Jonathan Stumpf, American Rivers
 Tom Wadsworth, WDFW
 Bryce Glaser, WDFW
 Peggy Miller, WDFW
 Greg Robertson, USFS
 Jim Bryne, Trout Unlimited
 Amanda Froberg, Cowlitz PUD
 Steve West, LCFRB
 Steve Manlow, LCFRB

Guests (5)

Chris Fontechio, NMFS
 Jennifer Quan, NMFS
 Jim Lynch, KL Gates
 Brad Thompson, USFWS
 Tom Sinclair, USFWS

Calendar:

June 13, 2019	ACC Meeting	Merwin HCC
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Assignments from May 9, 2019	Status
Lesko: Add spring chinook distribution detection data and provide to the ACC.	
Olson: Provide schedule when Draft In-Lieu Program Strategic Plan, Draft Evaluation Plan for a 90-day review period, and Preliminary designs for Yale and Merwin Bull Trout fish passage facilities will be provided to the ACC for a 30-day review period.	Complete – 6/13/19

Assignments from March 14, 2019	Status
Josh Ashline – Contact NMFS sampling permit department for their response on NOR Tracking and report back to the ACC and perhaps discuss other tagging options.	

Parking Lot Items	Status
Tracy: Stage 0 webinar PowerPoint presentation to ACC.	Tentative – June 2019
All: What are things to focus on; Salmon Port	

Opening, Review of Agenda and Meeting Notes

Erik Lesko (PacifiCorp) called the meeting to order at 9:05am and reviewed the agenda. Lesko also reviewed the April 11, 2019 meeting notes. The meeting notes were approved without change at 9:15am.

Public Comment

None

Upriver Salmon Redds Distribution Update

Lesko provided PowerPoint slides illustrating the distribution of live steelhead detections from aerial surveys during the period 2014 – 2019. Flights are conducted 3-4 times annually (April – May) during spawning run for steelhead. On April 24, 2019 a steelhead was detected at the upper end of Smith Creek as well as the plunge pool of Paradise Falls on the Clearwater River. Another flight is scheduled for May 10, 2019. In addition to the steelhead surveys, coho redd data was also presented for the period 2012-2018 indicating that distribution of coho redds appears to favor Clear, Drift and Clearwater streams along with lower portions of the North Fork Lewis River.

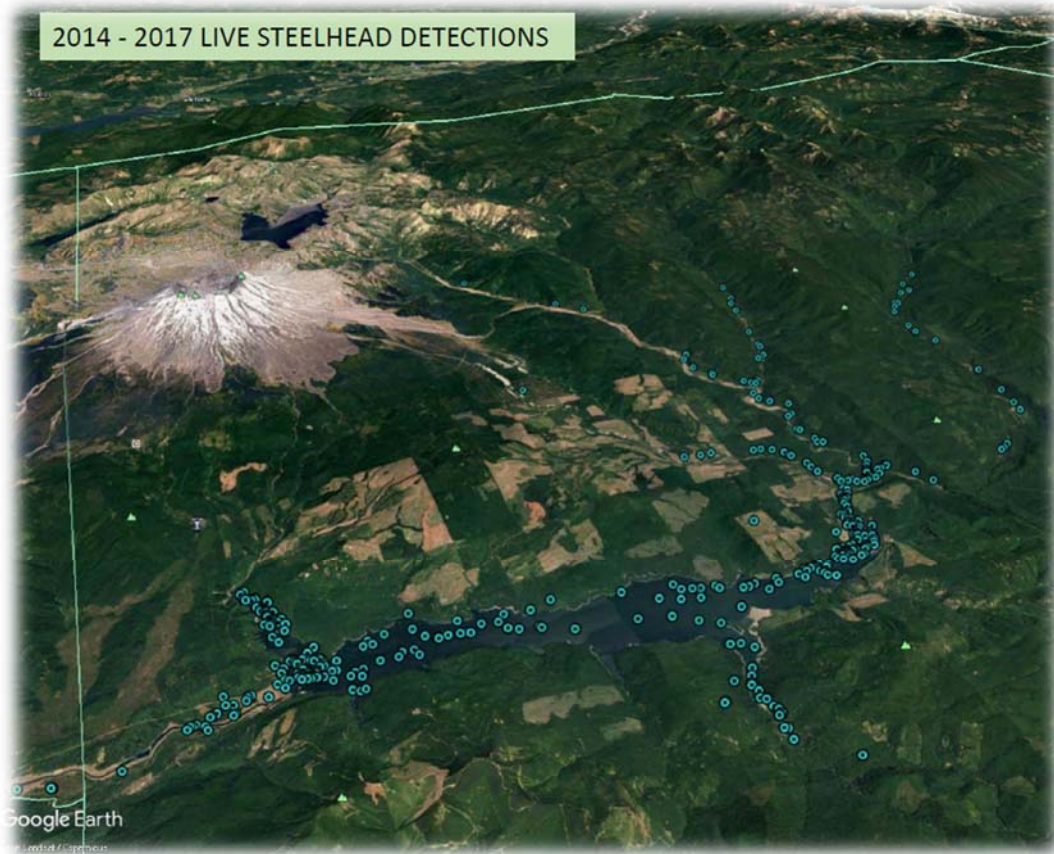
The release location for both steelhead and coho is primarily at Eagle Cliff. Seed plants of live steelhead and coho at the Muddy River Bridge, Clear Creek Bridge and Lewis River Bridge (near Crab Creek) were completed in 2015 and 2016 to enhance distribution of steelhead and coho into the upper basin. These seed plants were effective in improving distribution during periods of low flow.

2014 – 2017 Live Steelhead Detections

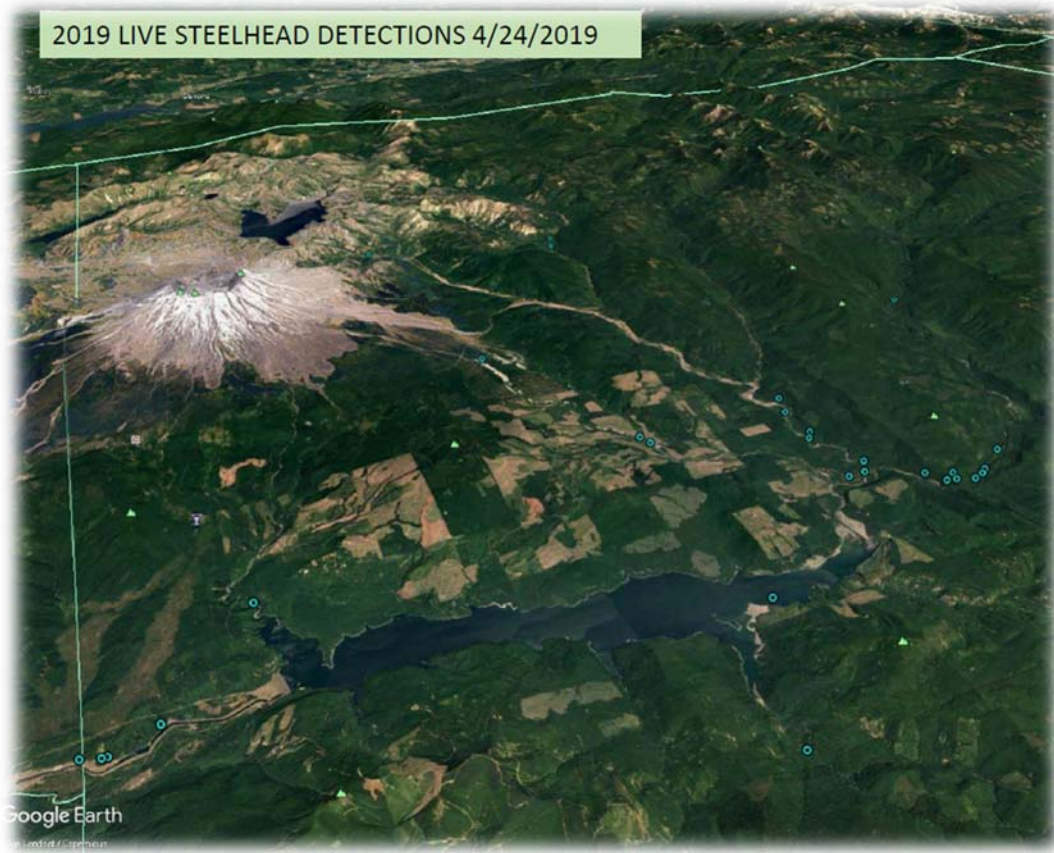
(The following data is subject to revision and is provisional data only).

Lesko provided a variety of slides evidencing the increase in live steelhead detections in addition to the 2019 detections from April 24, 2019.

2014 - 2017 LIVE STEELHEAD DETECTIONS



2019 LIVE STEELHEAD DETECTIONS 4/24/2019



2012 – 2018 live Coho Redds Detections

(The following data is subject to revision and is provisional data only).



Lewis River In-Lieu; USFWS and NOAA Fisheries (Services)

Jennifer Quan (NMFS) and Brad Thompson, (FWS) presented the preliminary determinations of the Services contained in their April 12, 2019 letters to the Utilities. These include the following:

- Proceed with the In Lieu Alternative for the Merwin Reservoir;
 - In Lieu at Merwin of approximately \$20M in habitat restoration funds
- Defer a decision on Yale reservoir fish passage facilities until 2031
- Proceed with bull trout passage prescriptions immediately

Chris Fontecchio (NOAA General Counsel) stated that NMFS' determinations contained in its April 12, 2019, letter are preliminary, and subject to further ESA consultation with FERC. NMFS understands that the Utilities will seek a license amendment from FERC to implement the Services' final determinations. Fontecchio also noted that NMFS understands that the Utilities will work with the ACC to review draft plans required to implement the determinations before they are submitted to FERC.

Eli Asher (Cowlitz Indian Tribe) indicated disagreement with the In Lieu decision for Merwin Reservoir, and objected to delaying the decision on fish passage into Yale reservoir. Asher also stated that the current state of monitoring science would not be able to show a population level response to restoration actions within the proposed timeframe.

Steve Manlow (LCFRB) expressed concern regarding the Yale decision delay given the Recovery Plan timeframe. He also expressed concerns that a population level response cannot be made within the delay period, and that it will be important to identify what questions we are trying to answer within the limited time period, and then develop a monitoring plan accordingly.

Review of In-Lieu Exhibit A

Todd Olson (PacifiCorp) provided a brief overview of near term tasks identified in the Utilities April 22, 2019, response to the FERC. Olson noted the Utilities' intent to contribute \$3M by June 26, 2019 (Item 3) even though that contribution is not required; develop Draft In-Lieu Program Strategic Plan and Evaluation Plan (Item 4); and provide 30% designs for Yale and Merwin Bull Trout fish passage (Item 9). Olson stated that the Utilities will provide the FERC with monthly progress reports as they implement the actions contained in the April 22, 2019, response to the FERC. Olson noted that the Utilities will try to provide a draft progress report to the ACC for review and comment prior to ACC meetings.

Olson explained that the Draft Strategic Plan will be based upon the outline of a strategic plan previously provided to the ACC on April 12, 2018. The purpose of this plan is to identify how the parties will identify and construct specific habitat treatments for reaches upstream of Swift reservoir. Olson stated that the Utilities have retained Meridian to assist with preparing the Draft Strategic Plan. The draft plan will be distributed to the ACC for a 30-day review and that the Utilities were open to creating a subgroup of the ACC to discuss the plan if that is of interest to the parties. The Utilities' goal is to develop a Strategic Plan that is approved by the ACC prior to submission to FERC. Olson also noted that Phil Roni of Cramer Sciences has been retained to develop the Draft Evaluation Plan.

ACC members requested that Olson add to the In-Lieu Exhibit A schedule dates when documents will be provided to the ACC for the 30, 60 or 90-day review periods, as required by each specific document and/or design.

Bryce Glaser (WDFW) noted the following concerns in response to Olson's overview:

- Monitoring and evaluation plan should consider the Swift FSC collection efficiency;
- Discussion is needed going forward on level of monitoring and the questions to answer;
- Concerned whether WDFW staff can meet such an aggressive review timeline due to many other obligations with the current development and review of the Monitoring and Evaluation Plan (M&E) and Hatchery & Supplementation Plan they are working on to complete by year end; and
- Consider rolling the M&E and the In-Lieu monitoring together,

Olson noted that R2 Resources has been retained to develop the bull trout preliminary (30%) fish passage designs. Jim Bryne (Trout Unlimited) stated that he wants input during the 30% design period. Glaser (WDFW) requested that consideration be given to other fish collection methods notwithstanding the fact that the Settlement Agreement provides for a Merwin Trap for downstream bull trout collection.

ACC members inquired about the project schedule after the Utilities submit an application for license amendment to the FERC. Quan noted that schedule was not provided. Fontecchio noted that after submission of the application for license amendment, FERC's license amendment process could take one to two years, including the time needed for NMFS to consult over the proposed license amendment. The preliminary project schedule contained in the Utilities April 22, 2019, letter is provided below:

TASK	ACTION	SETTLEMENT AGREEMENT	TIME PERIOD	DATE
1	Notice of Preliminary Determination by Services to forego Yale Upstream and Merwin Downstream Facilities, and delay decision on construction of Yale Downstream and Swift Upstream Facilities	4.1.9		April 12, 2019
2	Utilities provide schedule of actions to implement Notice of Preliminary Determination	4.1.9	10 days from receipt of Services' preliminary determinations under Section 4.1.9	April 22, 2019
3	Year 1 contribution of \$3 million to In Lieu Fund from PacifiCorp (foregone Merwin Downstream Facility) NOTE: this contribution voluntarily made earlier by PacifiCorp	7.6.1(b)	11th Anniversary of License	June 26, 2019
4	The Utilities develop Draft In-Lieu Program Strategic Plan and Evaluation Plan to implement Decision of the Services.	7.6.2	4 months from Services' preliminary determinations under Section 4.1.9	August 12, 2019
5	The Utilities develop a Draft Biological Evaluation assessing the effects of the Services' decisions, including implementation of the In-Lieu Program Strategic Plan and Evaluation Plan	4.1.9	5 months from Services' preliminary determinations under Section 4.1.9	September 12, 2019
6	Utilities submit Draft Application for License Amendment to Settlement Agreement Parties for 90 day review to implement the Services' Preliminary Determinations	4.1.9 and 15.3.2	5 months from Services' preliminary determinations under Section 4.1.9	September 12, 2019
7	The Utilities address and incorporate comments on the Draft Amendment received from the Settlement Agreement Parties	4.1.9 and 15.3.2	2 months from receipt of comments from ACC on proposed license amendment	February 12, 2020
8	Utilities submit Application for License Amendment to FERC, including Draft Biological Evaluation.		9 months from Services' preliminary determinations under Section 4.1.9	February 12, 2020
9	Utilities submit preliminary (30%) designs for Yale and Merwin Bull Trout Fish Passage Facilities to ACC for review.	4.10.1	Within 12 months of Decision by Services under Section 4.1.9	April 12, 2020

Asher stated that the Tribe does not agree with the Services' preliminary decisions, and that the Tribe was reviewing its options in this regard. Asher encouraged the ACC members to join the Tribe in its opposition to these preliminary decisions.

Brad Thompson (USFWS) stated that the USFWS is interested in working with the ACC to design and construct Yale Downstream bull trout passage facilities. Thompson noted that after today's ACC meeting the USFWS will take time to develop a detailed cooperative schedule with the ACC to include, but not limited to, the following:

- Geographic consideration of trap placement
- Process and protocol will all be reviewed by the ACC
- Better define ACC involvement according to the Settlement Agreement section 4.10

Thompson encouraged the ACC representatives to become very familiar with the Lewis River Settlement Agreement (SA) provision *4.10 Bull Trout Passage in the Absence of Anadromous Fish Facilities* (the link to the SA provisions is provided below for the readers convenience):

http://www.pacificorp.com/content/dam/pacificorp/doc/Energy_Sources/Hydro/Hydro_Licensing/Lewis_River/sad/Lewis_River_Settlement_Agreement_Final.pdf

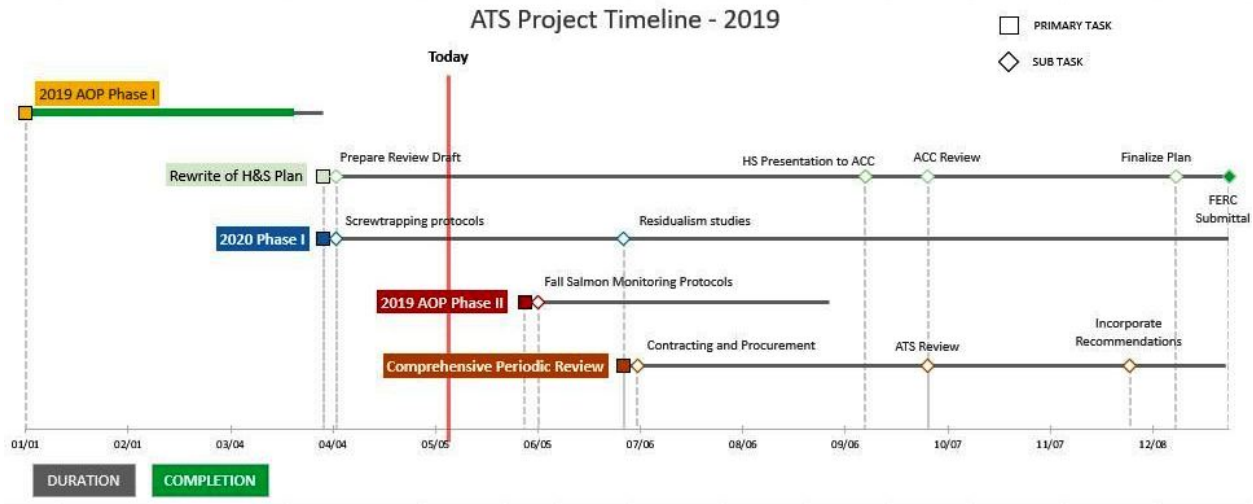
<Break 10:45am>

<Reconvene 11:00am>

Study/Work Product Updates Aquatic Technical Subgroup (ATS)

Lesko provided the following 2019 ATS Project timeline for ACC review. A progress update will be provided to the ACC at each monthly meeting. Lesko asked whether the ACC would prefer to

review the draft H&S plan after the scheduled comprehensive review (scheduled for October, 2019) or to review the plan after the comprehensive review is completed. Lesko informed the ACC that by waiting until the comprehensive review is completed for ACC review, the FERC submittal date for the H&S plan will need to be extended until April 2020 (current FERC submittal date is December 31, 2019). The ACC agreed that the 60-day ACC review should occur after the comprehensive review and that the FERC submittal date for the H&S Plan should be extended to April 2020. The utilities will submit an extension of time request to FERC indicating the ACC request and justification.



ATE Study Update – Winter Steelhead

Table 1. In season summary of release group and fish deposition of radio tagged winter steelhead as part of the 2019 Adult Trap Efficiency (ATE) Study at Merwin Dam, NF Lewis River, Washington. Data summarized through May 2, 2019. Data is considered preliminary.

Metric	Naïve	Non-Naïve	Non-Naïve ₂	Total Value
Tagged Fish (<i>n</i>)	23	41	43	107
Entered Tailrace (<i>M</i>)	21	36	32	89
Entered Trap (<i>T</i>)	20	32	31	83
Captured (<i>C</i>)	19	25	24	68
$P_{EE} (T/M)$	95%	89%	97%	93%
$ATE_{est} (C/M)$	90%	69%	75%	76%
$T_i((T-C)/T)$	5%	22%	23%	18%

- Trap **Naïve** fish (i.e., fish captured by tangle netting or angling downstream of Merwin Dam – these fish presumably never entered the trap at Merwin Dam);
- Trap **Non-Naïve** fish (i.e., fish captured from the fish trap at Merwin Dam and released at the Boat Launch);
- Trap **Non-Naïve₂** fish (i.e., fish captured from the fish trap at Merwin Dam and released at Perkins Ferry located 2.5 km upstream of the Lewis River Mouth detection site); and
- A **Total** value representing all tagged fish combined (i.e., Naïve, Non-Naïve, and Non-Naïve₂).

Merwin Fish Collection Facility and General Operations (Attachment A)

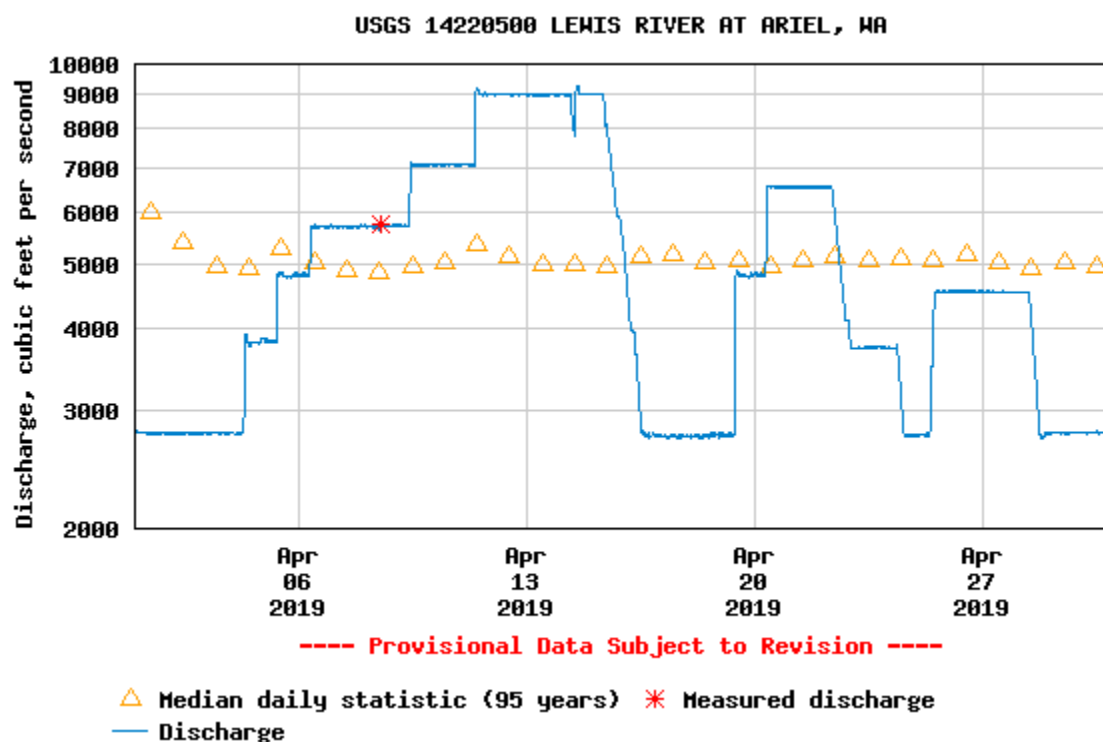
During the month of April, a total of 920 fish were captured at the Merwin Dam Adult Fish Collection Facility. The majority of these fish were winter steelhead (809– 88%). One hundred two (102) spring Chinook had been captured through the month of April.

The Merwin Trap was turned off unexpectedly on April 6-7, and again on April 10, 2019 for repairs to a faulty limit switch. The trap ran continuously during the remained of the month.

River flow below Merwin Dam ranged from 2,760 to 9,060 cfs throughout the month. The minimum flow requirement below Merwin Dam during the month of April is 2,700 cfs.

NOR Winter Steelhead – 2 male fish measuring 63 and 60 cm in length died at the Merwin Fish Trap on April 13, 2019. Genetic and scale samples were taken from both fish. These mortalities will be reported on the Incidental Take Form for 2019 per Biological Opinion for ESA Section 7 Consultation (August 27, 2007).

Discharge, cubic feet per second



Upstream Transport (Attachment A)

Seven (7) Blank Wire Tag (BWT) winter steelhead were captured in December 2018 and were transported upstream as part of the 2019 run year. An additional 38 adults were taken upstream in January 2019 and another 30 in February, 106 in March and 705 in April for a total of 887 BWT winter steelhead transported as part of the 2019 run year. Five (5) additional winter steelhead of natural origin (NOR) containing a PIT tags from the upper basin were also transported upstream as part of the 2019 run year.

Run Year	Male	Female	Total adult winter steelhead taken upstream of Swift Dam
2012	141	48	189
2013	440	301	741
2014	452	581	1,033
2015	746	477	1,223
2016	378	376	754
2017	331	261	592
2018	682	535	1,227
2019	414	478	892

Six (6) NOR spring Chinook (3 female/1 male/2 jack) have been taken upstream through April 2019.

Swift Floating Surface Collector ([Attachment A](#))

The Swift FSC remained in operation throughout the month of April. A total of 7,070 out-migrants were collected along with an additional 206 planted rainbow trout. As a reminder, the entrance of the Swift FSC was modified in January 2019 with a new false floor within the Net Transition Structure (NTS). This was done to increase the entrance water velocity of the NTS and improve the hydraulic signature at the front of the vessel. A detailed presentation regarding this work was provided at the October 11, 2018 Aquatics Coordination Meeting. A copy of those meeting notes can be found online at:

http://www.pacificorp.com/content/dam/pacificorp/doc/Energy_Sources/Hydro/Hydro_Licensing/Lewis_River/li/acc/10112018_ACC_MN.pdf

Total number of out-migrants collected during the month of April was the second highest in 2019 compared to the previous 7 years of operation. The ongoing collection efficiency evaluation will help assess whether increasing the velocity at the entrance has improved juvenile fish collection.

The FSC water temperature has increased to 8 degrees Celsius and 1,200 fish were passed on May 8, 2019. The majority are super smolts (coho). Collection efficiency is taking place currently with 100+ acoustic tagged fish up river. Two dimensional data from these fish; increased velocity two-fold at the entrance. Debris collection has been maintained.

Run Year	April Collection Numbers by Run Year at Swift FSC			
	Coho	Chinook	Steelhead	TOTAL
2013	953	173	5	1,131
2014	2,174	175	65	2,414
2015	739	535	143	1,417
2016	10,504	282	499	11,285
2017	902	340	219	1,461
2018	2,795	657	815	4,267
2019	6,117	610	223	7,070

Bull Trout Subgroup Update

Tom Wadsworth (WDFW) informed the ACC attendees that the bull trout subgroup is currently assessing monitoring results from last year (how to change in the future based on results). Netting at Eagle Cliff will begin May 10, 2019.

Other

The US Forest Service invited the ACC and any interested parties to a Rush Creek Trailhead field trip that will take place June 5, 2019 at 9:00am (specialist review). The alternative date will be after the June 13, 2019 ACC meeting. This field trip relates to the recommended move of stewardship funds to the Rush creek project which will remove the road and open the side channel.

Agenda items for June 13, 2019

- May 9, 2019 Meeting Notes
- Stage 0 webinar PowerPoint presentation to ACC
- In Lieu Update
- Study/Work Product Update

Adjourn 11:40am

Next Scheduled Meeting:

June 13, 2019
Merwin HCC
9:00 a.m. – 3:00 p.m.

Meeting Handouts & Attachments:

- Meeting Notes from 4/11/19
- Agenda from 5/9/19
- **Attachment A** - Lewis River Fish Passage Report (April 2019)

Lewis River Fish Passage Report

April 2019

Merwin Fish Collection Facility and General Operations

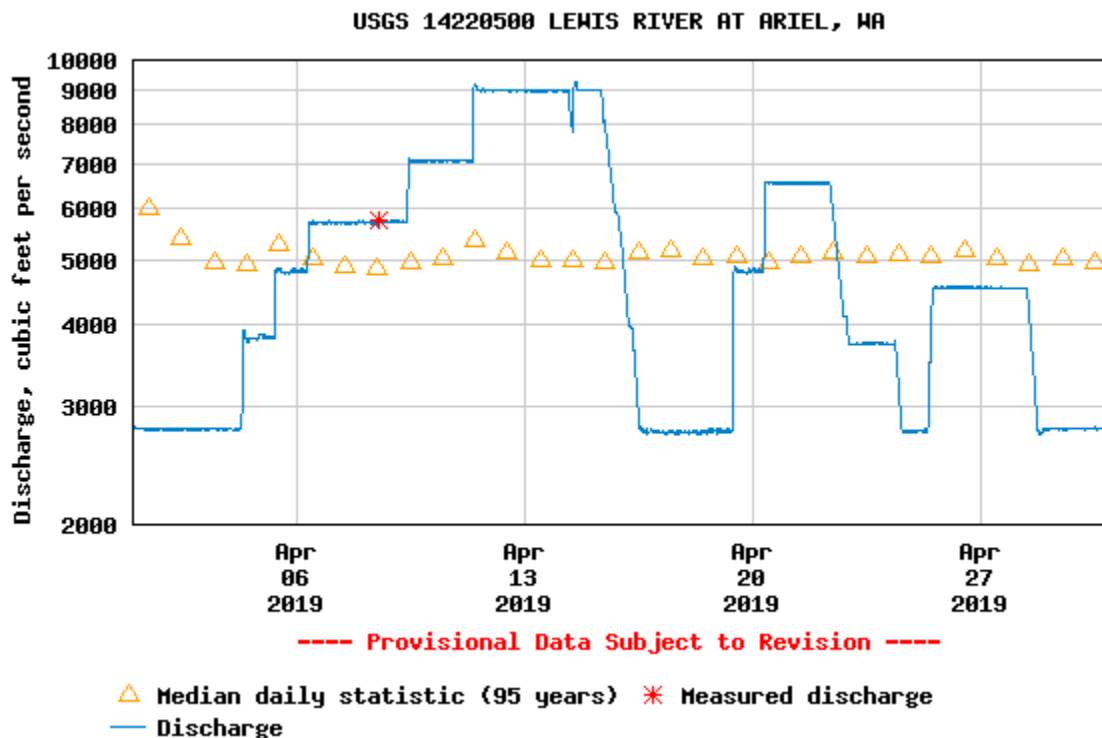
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Floating Surface Collector (FSC)

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