

**FINAL Meeting Notes
Lewis River License Implementation
Aquatic Coordination Committee (ACC) Meeting
August 11, 2005
Ariel, Washington**

ACC Participants Present (13)

Michelle Day, NOAA Fisheries
Diana Gritten-MacDonald, Cowlitz PUD
Adam Haspiel, USDA Forest Service
Lou Ellyn Jones, US Fish & Wildlife
Janne Kaje, Cowlitz Indian Tribe (Steward & Assoc)
Tammy Mackey, Trout Unlimited & American Rivers
Jim Malinowski, Fish First
Arianne Poindexter, PacifiCorp
Todd Olson, PacifiCorp
Frank Shrier, PacifiCorp
Eugene Stagner, US Fish & Wildlife (via teleconference)
Ruth Tracy, USDA Forest Service
John Weinheimer, WDFW

Calendar:

August 22, 2005	TCC Meeting	Longview, WA
Sept. 8, 2005	ACC Meeting	Conference Call
Sept. 16, 2005	TCC Meeting	Merwin, WA
October 3, 2005	TCC Meeting	Lacey, WA

Assignments from August 11th Meeting:	Status:
McCune: Contact Skamania County regarding obtaining copy of Wildlife Habitat & Assessment Report and relay details to ACC.	Complete - 8/18/05
Kaje: Email requested July 14 th meeting notes changes to McCune.	Complete - 8/17/05
McCune: Email Acclimation Pond Sites map to ACC.	Complete - 8/17/05
Shrier: Consult with Holly Harwood (PacifiCorp) to confirm that Day's proposed language (section 1.0 pg. 4 of funding document) is not conflicting with the Settlement Agreement.	Olson to follow-up prior to 9/15/05
Tracy: Provide relevant temperature data from the streams to Shrier via email.	Complete - 8/11/05

Assignments from July 14th Meeting:	Status:
Shrier: Email link to the ACC for their review of other Habitat Work Schedules.	Complete - 7/22/05
Olson: Resubmit alternative language to American Rivers and Trout Unlimited regarding conflict of interest within funding document	Complete - July 18, 2005

Opening, Review of Agenda and Meeting Notes

Frank Shrier (PacifiCorp) conducted a review of Agenda for the day and the ACC meeting notes for July 14, 2005.

USDA Forest Service noted that they are shifting personnel. Karen Thompson (USDA Forest Service) will be taking a more active role. Ruth Tracy (USDA Forest Service) will be phasing out. Tracy also introduced Adam Haspiel, a Fish Biologist now working for the USFS.

Shrier asked if the ACC wanted additions to the Agenda and/or changes to the meeting notes.

Jim Malinowski (Fish First) requested an addition to the Agenda as follows:

Discussion on the Riparian Zone section of the TCC's draft WHMP Standards and Guidelines document

Review of Meeting Notes – 7/14/05

Janne Kaje, (Cowlitz Indian Tribe - Steward & Assoc.) requested changes to page 4 and will email these edits to Kim McCune (PacifiCorp).

Malinowski requested change of a spelling error and modification of text on page 4 to read as follows:

Jim Malinowski (Fish First) said that the ACC members may experience conflict due to bias for their own projects.

Malinowski also requested edits of clarification on page 6 & 7 to read as follows:

Malinowski said he would like to see requirements for riparian buffers consistent throughout Clark, Cowlitz and Skamania counties so that all riparian buffers are consistent.

Malinowski expressed concern that the developers are encouraging irresponsible activities within the critical habitat areas.

The July ACC meeting notes were approved with changes.

Map on Acclimation Pond Sites

Shrier provided overhead of Acclimation Pond Sites (see Attachment A), which was viewed by the ACC attendees. Four locations are under consideration. These locations have the following criteria:

- Upper basin
- Accessible by road
- Flat area to construct facility and allow access by hauling truck

The purpose is to enhance success of reintroduction program by allowing fry or smolts to acclimate (imprint to the site) for 2-3 months before release

Michelle Day (NOAA Fisheries) - was any thought given to taking fish from the acclimation ponds and trucking below project until you can get return numbers up? Day asked if this would require different pond design.

Kaje indicated that Day's idea should not be discussed without the Yakama Tribal representatives. Kaje asked if we are doing any testing of the water temperature at the potential acclimation sites. Tracy indicated that water temps are high in Clear Creek. Shrier said the temperatures were warm but not extreme. During RBT collection the previous week, most rainbow fry were in 1' of water. Not in mainstem. Day asked how many ponds were being considered. Shrier indicated that a particular number was not decided upon but that he was thinking only 1to2 sites. Another potential site is Smith Creek. Shrier will be looking next trip up the Lewis. Michelle Day clarified that while this map shows 4 sites, they are only potential locations not that PacifiCorp was proposing 4 sites. Shrier verified that. Tracy has relevant temperature data from the streams and will provide the data to Shrier.

Kaje also discussed the timing of putting the fish up there. They should be placed in early spring and acclimate for 2-3 months. Coho should not be placed as newly emerged fry. Instead they should be outplanted early in their 2nd year.

Shrier indicated that we don't know the plan in any detail yet. A draft Hatchery and Supplementation plan is due to the ACC this fall.

Jones & Stokes is preparing the hatchery and supplementation plan. Dan Barrett a consultant to the Yakama's will be providing input and advice into the Supplementation part of the plan.

The question was raised on how much input has the Yakama Tribal representatives given as to selection of the acclimation sites?

Shrier stated that they have visited the potential sites on more than one occasion. Yakama Tribal representatives want the site high in the basin. Day communicated that she like the idea of high in the basin and right above the reservoir.

The Draft H&S plan is due to the ACC on November 30, 2005

Someone asked, "Can fish migrate downstream without going through turbine?" Michelle said that yes, once surface collector is built, we anticipate capturing a high percentage of the downstream migrants.

John Weinheimer (WDFW) indicated that he has lots of questions (logistics stuff) about multiple species at one facility.

Discussion and Completion of Funding Process Document

Olson indicated the intent for the ACC to review the Funding Process document and finalize at today's meeting. If we could reach agreement, the document would be emailed to all ACC participants and interested parties for the formal 30-day review.

Day proposed new language on page 4 to read as follows:

Although 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.

Shrier doesn't agree with Day's interpretation. Day thinks the ACC should defer back to the Settlement Agreement if we can't agree with her proposed language. Olson thinks the proposed language should be acceptable. PacifiCorp will be responsible in the end as on page 4 (5) states that disagreement would be resolved by ADR, as stated below.

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.

Tammy Mackey (Trout Unlimited & American Rivers) and Malinowski support Day's proposed language. Shrier will consult with Holly Harwood (PacifiCorp) to confirm that the proposed language is not conflicting with the Settlement Agreement.

Gritten-MacDonald said that she will be looking for a sentence from the Settlement Agreement that states this language will not change the intent of the Settlement Agreement. In addition, Gritten-MacDonald thinks that the following language from pg. 109 of the Settlement Agreement should be included in the funding document.

14.2.4 TCC and ACC Decision-Making Process and Limitations

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

Day thought that this addition was acceptable.

Following the above discussion, and given agreement by representatives at the meeting, Olson communicated to the ACC that he will make all requested edits and email the final version for the 30-day review period.

To implement the Aquatic Fund process, Olson requested the ACC identify people or groups that should be notified of the Fund opportunity.

The list of person(s) who should review the Funding Process Document is:

- Lower Columbia River Fish Recovery Board
- Olympic Resource Management
- Creagan & Associates
- ANE Forestry
- All Settlement Agreement Parties

Olson will develop a draft cover letter and packet to send to the interested parties above. The draft will be presented to the ACC for review prior to distribution in Early September.

Project Updates

Riparian Zones section in the TCC's draft WHMP Standards and Guidelines document
Malinowski read the draft WHMP from the TCC. Riparian buffer widths are of concern and the ACC should be interested in how the TCC addresses this issue.

Buffers and Management Activities in buffers

TCC will address buffers and include literature about buffers in the Wildlife Habitat Management Plan (WHMP). Prior to any management activity, buffers in riparian areas will be identified and delineated; then reviewed by the TCC. Linkage to ACC would be through the ACC's opportunity to review the annual WHMP action plan. Malinowski communicated that the standard buffers should be specified, but identify exceptions to the standards. PHS was discussed as a "standard" that could be applied. Malinowski also indicated that different jurisdictions (agencies) have different buffer criteria, which could be a problem. He would like to see consistency among the agencies.

WHMP

Olson communicated to the ACC that the draft WHMP Standards and Guidelines document includes goals & objectives. The TCC is working to have the document reviewed and discussed by the end of August. Discussion will continue at the TCC meeting on Monday, August 15, 2005.

Merwin Tailrace Study

On Monday, August 15, 2005 researchers will begin tagging summer steelhead. May modify groupings dependent of number of fish collected.

Gravel Study

Spawning gravel Consultants switched to low flying aircrafts to get better content in photos for their analysis.

Hatchery and Supplementation Plan

Jones & Stokes is scheduling meetings with hatchery personnel to put together data to develop plan (draft due November 2005).

Yale and Merwin Entrainment Study

A proposal for the Merwin-Yale bull trout entrainment work is expected next week.

Kaje asked how the study planning was going. Shrier responded that the difficulty is trying to find a method to ID the fish near the project intakes. Counting is easy, using Hydro acoustics and we may use cameras to do visuals and be able to ID the fish.

Hatchery Upgrades

Pond 15 & 16 are scheduled to begin next year.

Release Pond Sites.

Processes for land purchases moving forward. Closure on the property needs to be soon to start designs. The ponds are intended to be a release location for all downstream migrating fish collected in traps.

Merwin and Swift trap design process

For Swift, PacifiCorp has had to step back because FERC has requested PacifiCorp design for a Probable Maximum Flood (PMF) of 180,000 cfs. Passage of a PMF needs to work with whatever trap design is constructed at Swift. An internal PacifiCorp engineering group brainstormed about 40 different alternatives initially. Those were narrowed down to about 14 that are being analyzed for feasibility.

Engineer subgroup scheduled for meeting on August 30, 2005. This group should be able to bring information to the ACC on September 8, 2005.

NOAA rainbow trout genetics research

PacifiCorp went out with NOAA two weeks ago with the goal to collect 50 fish. Clear Creek did not have many rainbows. Above the falls at Quartz Creek, 50 rainbows were collected. These fish will be used for baseline as our potential founding population. On our next trip we will collect samples from the upper Muddy & Pine Creek and eventually Siouxon. This is non-lethal sampling. Fish lengths, weights and photos are all collected. Gritten-MacDonald asked how this relates to genetics studies from two years ago. Shrier said the purpose was different and that the methodology was much more refined. This 10 yr. study assess impacts that Steelhead have on native trout and do they cross breed This same NOAA research group is also doing research on the Elwah and are interested in the Klamath system.

Miscellaneous

ACC agreed to conduct the next scheduled meeting via conference call only, and to move the field trip for October 6th to October 13, 2005.

The ACC was asked to consider what they want to see, i.e.:

- Powerhouse
- Fish collector sites
- Swift 2 canal

Next Scheduled Meetings

Thursday, September 8, 2005 (Conference call-in only)

Thursday, October 13, 2005 (Merwin Hydro Facility)

Agenda items for September 8, 2005

- Review of 8/11/05 meeting notes
- Engineering Subgroup meeting results
- Project Updates
- Entrainment Proposal (Preliminary comments)

Meeting Adjourned at 11:00 am

Handouts

- Final Agenda
- Draft Meeting Notes 7/14/05
- Lewis River Aquatic Funding Process Document (version 072905)