

**Meeting Notes  
Lewis River License Implementation  
Aquatic Coordination Committee (ACC) Meeting  
April 12, 2012  
Meeting at Merwin**

**ACC Participants Present (11)**

Eli Asher, Lower Columbia River Fish Recovery Board  
Michelle Day, NMFS  
Erik Lesko, PacifiCorp Energy  
LouEllyn Jones, USFWS (via teleconference)  
Kimberly McCune, PacifiCorp Energy  
Adam Haspiel, USDA Forest Service  
Peggy Miller, WDFW (via teleconference)  
David Hu, USFS  
Eric Kinne, WDFW  
Frank Shrier, PacifiCorp Energy  
Shannon Wills, Cowlitz Indian Tribe (via teleconference)

**Calendar:**

May 10, 2012	ACC Meeting	Conference Call
June 14, 2012	ACC Meeting	Merwin Hydro

<b>Assignments from January 12, 2012 meeting</b>		
Coordinate a summer tour of the Swift Downstream Collector Construction for the Cowlitz tribal council. (One month delay was recommended. Shannon Wills to confirm with Tribe leadership)		<b>Pending</b>
<b>Assignments from February 9, 2012 meeting</b>		
Set up meeting to discuss how to release fish at the Release Pond site until pond is constructed.		<b>Complete – meeting set for 3/30/12 at WDFW, Vanc.</b>
Send out revised plan for the Crab Creek Acclimation Pond. (Subcommittee reviewing ideas and planning site visits)		<b>Pending</b>
Merwin Trap: Review Settlement Agreement for clarification on Coho production, to get to the required 1.9 million.		<b>Complete 4/12/12</b>

<b>Assignments from March 8, 2012 meeting</b>	<b>Status</b>
Lesko – SA 8.4, Coho Production Targets: PacifiCorp will bring back more detail regarding impact on the 2013 budget for WDFW and PacifiCorp to review and discuss at the next ACC meeting on April 12, 2012.	<b>Pending</b>
Murdock - indicated that she will email literature to Shrier regarding Yakama Nation acclimation reports.	<b>Pending</b>
Kinne - will get some information for the ACC on the White River acclimation and any other information his agency might have.	<b>Pending</b>

<b>Assignments from April 12, 2012 meeting</b>	<b>Status</b>
<b>Shrier/Lesko:</b> Interpretation/Discussion of SA 8.4.1 (1.9 million Coho production). PacifiCorp will respond to the ACC on or before Friday, April 27, 2012.	

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

Frank Shrier, PacifiCorp, called the meeting to order @ 9:10 a.m. The ACC reviewed the agenda, and added one new topic: Acclimation Pond Site update. The agenda was then accepted at 9:15 a.m. The March 8, 2012 meeting notes were reviewed and Eric Kinne (WDFW) requested the addition of the following language from the Lewis River Settlement Agreement to add clarification to the discussion titled: Hatchery and Supplementation Program – Interpretation/Discussion of SA 8.4.1 (1.9 million Coho production). When do we start to get 1.9 million?

*8.4 Anadromous Fish Hatchery Juvenile Production. Each year, the Licensees shall provide for the production of spring Chinook salmon smolts, steelhead smolts, and coho salmon smolts at levels specified below (“Juvenile Production”). The Licensees shall use the Juvenile Production to provide (1) juveniles for the supplementation program under Section 8.5, and (2) juveniles for harvest opportunities. To the extent that there are not sufficient juveniles for the Hatchery and Supplementation Program and to ensure that enough adults will return to ensure adequate broodstock for the Hatchery and Supplementation Program in future years, the Licensees shall, in Consultation with the ACC and subject to the approval of the Services, determine how best to allocate juveniles.*

Kimberly McCune (PacifiCorp) will add the above-referenced language and finalize the meeting notes for posting to the Lewis River website. The March 8, 2012 notes were approved with changes at 9:20am.

### **Study Updates**

*Acclimation Pond Site (Crab Creek)* – David Hu (USFS) informed the ACC that the NEPA document was sent out for a 30-day review the week of April 2, 2012. Hu further mentioned that he will email the Acclimation Pond NEPA document link to McCune and she will pass on to the ACC members via email.

*Woodland Release Ponds* – PacifiCorp is working on draft environmental assessment (EA) to consult on operation of pumps at Lewis River, boat ramp, dredging work and lower intake. An informal consultation letter was received from NMFS stating that it's not likely to adversely affect smelt or critical habitat. Operation and construction of Merwin is good to go. Alternative means for temporary release site was also discussed. Completion expected in 2013.

*Hatchery Upgrades (Screen design for lower intake)* – Damaged screens at Lewis River Hatchery and dredging; upstream intake needs Hydraulic Project Approval (HPA), an inwater work permit authorized by Washington Dept. of Fish and Game. Possible delay to 2013 due to required HPA. PacifiCorp will work toward avoiding any delay.

*Merwin Rearing Ponds* – Remaining two ponds scheduled for completion after the fishing derby is completed at the hatchery this June 2012.

*Lewis River Upstream and Downstream Intakes* – Upstream intake damaged. PacifiCorp talking to WDFW regarding getting the needed approvals to repair in 2012. A JARPA is needed to complete the permitting process. Certain issues were discovered with the ozone system specific to the meters not reading correctly. The ambient ozone will be looked at and new seals will be ordered. PacifiCorp is working with two vendors for PLC upgrades for summer 2012. Steelhead transferred to date includes six males upstream of Swift.

*Hatchery and Supplementation Program* – Collection of Winter Steelhead – 20 fish on site. There are 22 radio tagged fish upstream of Swift. A radio-tracking aerial survey was conducted on April 10, 2012; tagged adults were released at Eagle Cliffs. The area of coverage thus far is 35-40 miles via helicopter. In river captures – 3/4 are CWT-tagged fish.

Approximately 40-50 fish have been pit tagged by the tangle net crew. Kinne asked if we want to consider using Floy tags for the wild brood program to make it easier to site them on the spawning grounds. Erik Lesko (PacifiCorp) will email the H&S Subgroup (including Michelle Day, NMFS) to discuss this topic in greater detail.

*2012 Bull Trout Plan* – Pat Frazier (WDFW) informed the ACC that the Bull Trout Subgroup met on March 30, 2012. The Subgroup is focusing their efforts on collecting bull trout documents that already exist. Eli Asher (LCFRB) will be compiling these documents. Another meeting will be set in approximately 1-2 months to include ACC members only.

*Merwin Upstream Construction Status* – PacifiCorp received a letter of concurrence from NMFS regarding operation and construction of the Merwin Upstream Facility so there is a clear path to moving forward. The construction schedule has been reworked as some delay is expected. The in-water work will take place until 12/26/2013; substantial completion expected by 1/23/2014 (i.e. trapping but not necessarily sorting). That essentially means the old trap would be closed July 1, 2013 to January 23, 2014 and we would rely on the Lewis River Ladder for fish collection during that closure period. Final completion is expected by 4/24/2014.

Everything has been pushed out one year with the trap operation one year late. Merwin Trap will operate “as is” until July 2013. Trapping will resume at Merwin in December 2013.

The job announcement for the Lewis River Lead Fish Passage Scientist has been posted. PacifiCorp is interviewing three candidates next week. PacifiCorp plans to hire by the end of May 2012. In addition, PacifiCorp is hiring 2 technicians to help with Swift Downstream Collector, hopefully by end of June.

*Swift Downstream Collector Construction Status* – Facility is down by waters edge; water rising approximately 2’ per day. The construction crews have installed anchor concrete pilings for log booms. The float plan is pending. Divers will be needed as the Floating Surface Collector (FSC) becomes buoyant. Pumps, screens, transformers, breaker systems are all on board. A meeting took place yesterday to coordinate power supply from Swift substation to the FSC.

*Future Fish Passage Facilities New Information Status* – PacifiCorp still negotiating with the contractor. Upon completion of contract the successful contractor will be announced and they will begin work this summer.

*Yale Spillway Barrier Net* – Construction on schedule; waiting for FERC approval for design drawings and PacifiCorp’s plan to evaluate effectiveness. Planning to have in at Yale Spillway by Fall 2012.

<Break - 10:15am>

<Reconvene - 10:35am>

### **Hatchery and Supplementation (H&S) Program – Interpretation/Discussion of SA 8.4.1 (1.9 million Coho production). When do we start the 1.9 million?**

Kinne reviewed Table 8.4 in the Lewis River Settlement Agreement (see below) and WDFW’s interpretation if WDFW should be producing in 2012.

*8.4 Anadromous Fish Hatchery Juvenile Production. Each year, the Licensees shall provide for the production of spring Chinook salmon smolts, steelhead smolts, and coho salmon smolts at levels specified below (“Juvenile Production”). The Licensees shall use the Juvenile Production to provide (1) juveniles for the supplementation program under Section 8.5, and (2) juveniles for harvest opportunities. To the extent that there are not sufficient juveniles for the Hatchery and Supplementation Program and to ensure that enough adults will return to ensure adequate broodstock for the Hatchery and Supplementation Program in future years, the Licensees shall, in Consultation with the ACC and subject to the approval of the Services, determine how best to allocate juveniles.*

*8.4.1 Juvenile Production Targets. The Licensees shall provide for the implementation of the following Juvenile Production targets (“Juvenile Production Targets”) when the Hatchery and Supplementation Program commences. The following Juvenile Production Targets shall be used unless and until modified by the Licensees pursuant to Section 8.4.2 as part of the Hatchery and Supplementation Plan in accordance with Section 8.2.5:*

Table 8.4 – Juvenile Production Targets

<i>Smolt Production</i>	<i>Spring Chinook</i>	<i>Steelhead</i>	<i>Coho</i>
<i>H&amp;S Plan Years 1 – 3</i>	<i>1.35 million</i>	<i>275,000</i>	<i>1.8 million</i>
<b><i>H&amp;S Plan Years 4 – 5</i></b>	<b><i>1.35 million</i></b>	<b><i>275,000</i></b>	<b><i>1.9 million</i></b>
<i>H&amp;S Plan Years 6 – 50</i>	<i>1.35 million</i>	<i>275,000</i>	<i>2.0 million</i>

The ACC agrees that the H&S Plan year 1 began in 2010. According to WDFW, in order to meet Plan years 4 & 5 the fish “take” should have begun in 2011.

Lesko expressed that by “providing for” additional production as stated in the Settlement Agreement that this includes the taking of broodstock and eggs in the specified H&S plan year.

Michelle Day (NMFS) informed the ACC that she asked their legal counsel to review SA language 8.4 for their interpretation.

Kinne provided a document for ACC review outlining WDFW Settlement Agreement Coho Production Costs to include a Coho Production Level timeline from Year 1 (2010) through Year 6 (2015), see [Attachment A](#).

PacifiCorp now has the information to evaluate the interpretation with Todd Olson, Lewis River Program Manager (PacifiCorp) as NMFS, WDFW and PacifiCorp do not agree.

PacifiCorp will respond to the **ACC on or before Friday, April 27, 2012**. The ACC agrees to this response schedule. WDFW confirmed that they expect the 1.9 million egg take in Fall 2012. WDFW provided a time table to illustrate their understanding ([Attachment B](#)).

Day expressed that we can agree to disagree but she wanted to convey that if PacifiCorp will agree to start the program this fall it would avoid ADR process. Both ACC members (WDFW and NMFS) share the same interpretation.

### **2011/2012 Aquatic Fund Proposals – ACC Final Decision**

The ACC reviewed and commented on the following three proposals. All comments have been captured in the attached evaluation matrix ([Attachment C](#)).

The following projects approved for funding are:

Consensus was reached on a final Resource Project list as follows:

<b>Applicant</b>	<b>Project Title</b>	<b>Approved Funding</b>	<b>Decision</b>
USDA Forest Service	Clearwater Creek Instream Habitat Restoration	\$128,000	<b>YES</b>
USDA Forest Service	Lewis River Side Channel III Instream Habitat Restoration	\$50,000	<b>YES</b>

McCune informed the ACC that the Lewis River Aquatics Fund 2012 Annual Report will be submitted to the FERC on Friday, April 13, 2012 and posted to the Lewis River website for public viewing.

*<12:00 p.m. meeting adjourned >*

**Agenda items for April 12, 2012**

- Review April 12, 2012 Meeting Notes
- Study/Work Product Updates
- H&S Plan (1.9 million production) Discussion 8.4.1

**Public Comment**

None

**Next Scheduled Meetings**

May 10, 2012 (possible conference call)	June 14, 2012
Merwin Hydro Control Center	Merwin Hydro Control Center
Ariel, WA	Ariel, WA
9:00 a.m. – Noon	9:00 a.m. – Noon

**Meeting Handouts & Attachments**

- Notes from 3/9/12
- Agenda for 4/12/12
- [Attachment A](#) - WDFW Settlement Agreement Coho Production Costs, as prepared by WDFW
- [Attachment B](#) - Coho Production Level Timeline, as prepared by WDFW
- [Attachment C](#) - ACC Lewis River Aquatic Fund Evaluation Matrix 2011/2012, as prepared by PacifiCorp

Lewis River Aquatic Fund - ACC Evaluation of 2011/2012 Project Proposals											
ACC Decision	Applicant	Funding Request	WDFW	USFS	Cowlitz Indian Tribe	USFWS	NMFS	LCFRB	Utilities		
YES	1	USDA Forest Service Clearwater Creek In stream Habitat Restoration	\$ 128,000.00	Support funding	Forest Service takes the position of Neutral. The FS would like to see more project specificity in the future but trust that the FS will put the funds to good use. <b>Will not stand in the way.</b>	The Tribe agrees with the Utilities. We do not see benefit for Bull trout. For salmon, adding complexity to any system is always beneficial and there are a few species that will benefit. Large Wood is always good.  <b>Recommendation: Do select project for funding</b>	Support for funding	Not opposed but did not have time for full review. NMFS is neutral but will not stand in the way.	<b>The LCFRB supports full funding for this project.</b> The project site is located in Clearwater Creek, identified in the LCFRB Habitat Strategy as a tier 2 (medium) priority reach. EDT modeling indicates that the reach has high potential for coho production, and medium potential for winter steelhead and spring Chinook. In-stream habitat enhancement is a high multi-species priority for the reach. Wood placement seems to be an appropriate approach to increase habitat complexity in the stream. The final application did a fair job of answering questions and concerns posed at the pre-proposal stage. The full proposal would have benefited from greater detail on concept-level designs and layout.	Doubt any benefits directly assigned to bull trout. We expect steelhead and coho to benefit the most from this project. Still the habitat definitely needs some help. <b>Recommended for funding.</b>	
YES	2	USDA Forest Service Lewis River Side Channel III Instream Habitat Restoration	\$ 50,000.00	Support funding	Forest Service takes the position of <b>Neutral but will not stand in the way.</b>	The Tribe believes this to be a good side channel project which will benefit Chinook as well as coho and steelhead. As stated by the LCFRB, the proposal would have benefited from greater detail on the concept/design. Please respond to this observation should the entity request funds in the future.  <b>Recommendation: Do select project for funding</b>	Support for funding	Not opposed but did not have time for full review. NMFS is neutral but will not stand in the way.	<b>The LCFRB supports full funding for this project.</b> The project site is located in Lewis 20, identified in the LCFRB Habitat Strategy as a tier-1 (highest priority) reach. Off-channel and sidechannel habitat enhancement is identified as a high priority multi-species project type. EDT modeling indicates that the reach has high production potential for spring Chinook and medium potential for coho and winter steelhead. This appears to be a good opportunity to improve sidechannel spawning and rearing habitat in a high priority reach of the upper Lewis. The full proposal would have benefited from greater detail on concept-level designs and layout.	LWM DBH not mentioned - what are the criteria? <b>Recommended for funding.</b>	
NO	3	Gifford Pinchot Task Force Rush Creek Instream Pilot Project Habitat Restoration	\$ 31,720.00	WDFW is not positive this is the best step for Bull Trout in Rush Creek. <b>Neutral but will not stand in the way.</b>	Forest Service takes the position of <b>Neutral but will not stand in the way.</b>	<b>cautious support for funding.</b> We agree with the facts stated in the comments provided by the utility, WDFW, and the Lower Columbia Fish Recovery Board. This project could disrupt bull trout rearing and possibly spawning. We, too, want to see sustainable restoration projects in locations where disrupted ecological or geomorphic processes have been well documented, and not on sites that appear to be relatively pristine as is Rush Creek. However, given the recent downward trend of this population, the fact that spawning appears to be limited in the upper Lewis River, and that rearing in Rush Creek may also be limited, we feel that actions performed to increase habitat complexity and provide more sites that harbor spawning-sized gravels may be justified if done on a small scale with strict monitoring and adaptive response criteria as part of the project design. The side channels identified for this treatment appear not to receive much gravel bedload from the main channel of Rush Creek and not to express much local gravel recruitment. However, in comparison to the main channel, these side channels benefit from less severe hydraulic conditions during peak flows due to more overbank relief and lower exposure to extreme discharge. They also receive a larger portion of their discharge from hyporheic sources during baseflow. Thus, the potential for artificially-placed wood structures to function and gravel to persist is greater here than in the main channel, and is less risky. The Aquatics Fund was set up to support on-the-ground projects, so we haven't been able to learn very much about how bull trout use these basins, the specific limiting factors for bull trout, and what kinds of projects may best benefit bull trout. Because this proposal is now generally designed as an experiment, performed on a small scale and affecting only a portion of the total available habitat, we think that it is reasonable. It will help us to determine if spawning and rearing can be enhanced by this type of treatment and if so, for how long. Strictly speaking, the project is a form of enhancement rather than restoration, but is distinguished by pre- and post-project monitoring of bull trout use and physical processes as an integral part of the design. However, we do want to caution that this type of a project would need to undergo formal Section 7 consultation to assess potential adverse effects to bull trout and their spawning and rearing habitat, and weigh those effects against the potential for benefit. Please note that the permitting for this alone would likely be more time consuming than indicated on the full proposal.	Support for funding	NMFS wants to avoid a situation whereby Coho superimpose on the Bull Trout. The importance of working together with GP Task Force but does not want to support a project that is potentially not viable for Bull Trout.	<b>The LCFRB does not support funding for this project.</b> Several pre-proposal comments were not addressed adequately in the final proposal. The LCFRB remains concerned that the project, as proposed, does not appear to provide clear benefits to fish, works against natural stream processes to create a particular habitat type, and may adversely affect currently functional bull trout rearing habitat. At best, the project would result in a temporary gain in spawning habitat. According to the information supplied, the sidechannel currently provides bull trout rearing habitat for Rush Creek, but is not a primary spawning area. If the sidechannel is currently functional as rearing habitat, and spawning habitat is limited in mainstem Rush Creek, attempting to create unsustainable spawning habitat through wood and gravel placement in the sidechannel seems ill-advised. The analysis contained in the application indicates that gravel recruitment in the side channel is limited by the logjam at the head of the channel. While this may be the case, flow metering by logjams into side channels is a valuable function, not an unnatural process to be circumvented. Gravel supply in mainstem Rush Creek may be reduced over recent levels as a result of stabilizing conditions upstream. This, too, seems to be a natural process that needs no repair. The stream survey report and photographs supplied as part of the final proposal were helpful in characterizing the habitat currently in place in the treatment reach. This information did not, however, support the need for the proposed project, instead showing what appears to be functional habitat with greater than average wood loading and recruitment potential.	Question proposing a project that will obliterate the only habitat where juvenile bull trout have been found and replacing it with spawning habitat. Bull trout are not typically side channel spawners. We do not like to see that this may also create suitable steelhead spawning habitat. Timber costs seem excessive - typo? Staff has mixed opinion on merits of this project.	
		Resource Funds (recommended projects)	\$ 178,000.00								
		Bull Trout Funds (recommended projects)	\$ 31,720.00								
		Total Aquatic Funds Requested	\$ 209,720.00								
		Total Aquatic Funds Awarded	\$ 178,000.00								
<p>1. Benefit fish recovery throughout the North Fork Lewis River, priority to federal ESA-listed species</p> <p>2. Support the re-introduction of anadromous fish throughout the basin</p> <p>3. Enhance fish habitat in the Lewis River Basin, with priority given to North Fork Lewis River</p>											