

# LEWIS RIVER TERRESTRIAL COORDINATION COMMITTEE

Facilitator: KENDEL EMMERSON  
503-813-6040; CELL 509-774-8102

Location: TEAMS MEETING ONLY

Date: January 13, 2021

Time: 9:00 AM –11:15 AM

## Agenda Items

- 9:00 a.m. Welcome
- Review Agenda, 12/9/20 Meeting Notes
  - Review and Accept Agenda, 12/9/20 Meeting Notes
- 9:15 a.m. Trapping on PacifiCorp Lands; follow up on commercial use term
- 9:30 a.m. Saddle Mountain Trails – Field Visit Update
- 10:00 a.m. Meeting Protocol; public attendance
- 10:30 a.m. Study/Work Product Updates
- Saddle Dam Rehabilitation Update
- 11:00 a.m. Next Meeting's Agenda
- Note: all meeting notes and the meeting schedule can be located at:  
<https://www.pacificorp.com/energy/hydro/lewis-river/acc-tcc.html>
- 11:15 a.m. Meeting adjourn

## TEAMS Meeting

**Join on your computer or mobile app**

[Click here to join the meeting](#)

**Or call in (audio only)**

[+1 563-275-5003](tel:+15632755003).,12253920# United States, Davenport

**Phone Conference ID: 122 539 20#**

**FINAL Meeting Notes**  
**Lewis River License Implementation**  
**Terrestrial Coordination Committee (TCC) Meeting**  
**January 13, 2021**  
**Conference Call Only**

**TCC Representatives Present: (8)**

Kendel Emmerson, PacifiCorp  
 Summer Peterman, PacifiCorp  
 Kim McCune, PacifiCorp  
 Erik White, Cowlitz Indian Tribe  
 Eric Holman, WDFW  
 Amanda Froberg, Cowlitz PUD  
 Bill Richardson, RMEF  
 Peggy Miller, WDFW

**Guests (1)**

Eric Hansen, PacifiCorp

**Calendar:**

February 10, 2021	TCC Meeting	TEAMS Call Only
-------------------	-------------	-----------------

<b>Assignments for January 13, 2021</b>	<b>Status</b>
Emmerson: Will provide a list of past timber harvest areas that have been within the WHMP buffer, associated TCC meeting notes, and reference to the WHMP language.	
McCune: Add (2) 15-minute public comment periods to each TCC agenda. One at the beginning of the meeting and one at the end.	<b>Complete – 1/13/21</b>
McCune: Include remaining Swift Land funds left over and inform TCC at February meeting.	
Emmerson: Provide a list of PacifiCorp projects on WHMP lands and potential impacts. Provide Mitigation Strategy Tables.	

<b>Parking Lot Items</b>	<b>Status</b>
Emmerson/McCune: Contact PacifiCorp’s properties department to discuss further TNC detail and report to the TCC at the next meeting.	<b>In progress</b>

Emmerson reviewed the meeting notes from December 9, 2020. The meeting notes were approved at 9:25 am with a minor clarifying change. The following updates will be added to today’s agenda:

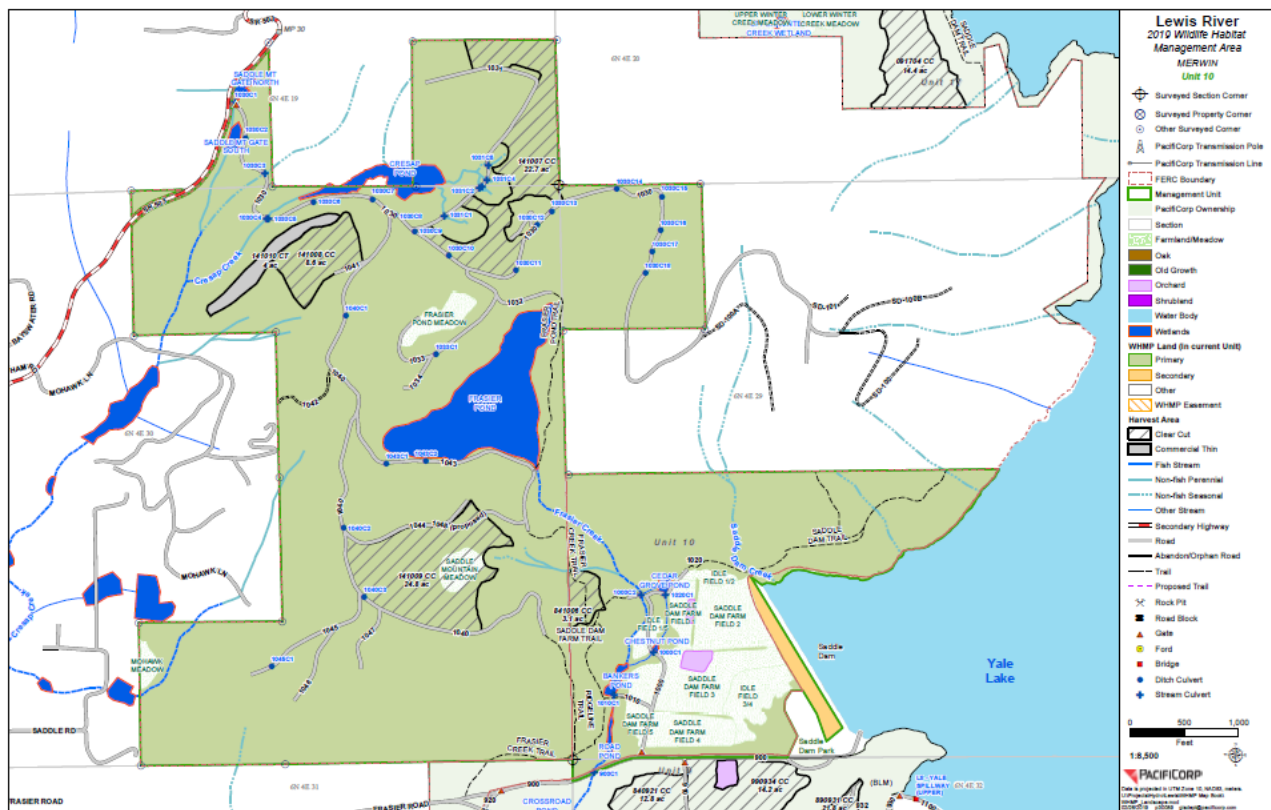
- Campers Hideaway
- Moss Cave
- Use of Microsoft Teams

## Yale - Saddle Dam Remediation; Borrow Area Update

Eric Hansen, PacifiCorp engineer in charge of the Yale - Saddle Dam Remediation project, provided an update on the proposed Yale-Saddle Dam remediation project and potential impacts to WHMP lands. The project has proposed rock buttresses at both ends of Saddle Dam that would require a considerable amount of rock.

As a result, PacifiCorp has been actively searching for potential rock source sites in proximity to Saddle Dam area. Test drill sites needs to be completed at potential rock sites to determine if there is enough and quality rock to meet the project's needs. The test drilling is a considerable cost, so selecting sites for test drilling are carefully reviewed to have the highest likelihood of having quality rock and is within proximity and accessible to the project site. A potential site in Saddle Mountain area in Management Unit 10 has been located that has potential large quantity of rock and can be accessed by existing roads from Highway 503. PacifiCorp would like to conduct further analysis at this site by completing test drill sites. A conceptual map of this area with proposed test drill sites and temporary access roads was shown to the TCC for review and consideration.

Borrow area is between the 1040 and 1044 roads.



Hansen noted that permitting for a borrow area is expected to take up to 9 months, so PacifiCorp needs to seek TCC approval and complete sensitive area surveys so they can begin test drill sites by the end of January to keep the Yale - Saddle Dam Remediation project on schedule. The test holes will require a drill going as far down as 50 feet to collect a sample to submit to a lab for analysis. Temporary access roads roughly 12 feet wide will need to be constructed to access each test sites. The test sites and proposed roads can be graded and reseeded with a grass seed mix and replanted with seedling trees to restore the vegetation loss. PacifiCorp is requesting TCC approval for the test

drill sites and the proposed temporary access roads. The TCC will determine further mitigation if the area is selected and developed as a borrow area.

**The TCC approved going forward with the test drill sites and proposed temporary access roads as outlined in the AECOM Borrow area options (not public at this time). The TCC further agreed that appropriate mitigation will be determined for the WHMP lands affected by this exploration.**

If the test drilling determines that it has quality and the needed quantity of rock, then it is estimated the borrow pit will be an area of 8-10 acres in size, extract between 100,000 to 200,000 yd<sup>3</sup> of rock, and will remove all vegetation including the clump of trees that are wildlife leave trees from a prior timber harvest. In addition to use for the Yale-Saddle Dam Remediation Project, this area may continue to be used to meet future PacifiCorp rock needs. It is not the intent to make this borrow site commercial, but PacifiCorp does have current and future need for rock for road improvements and other facility projects. The borrow pit will not be reclaimed after conclusion of the Yale-Saddle Dam Remediation project and would remain as exposed rock.

#### **Trapping on PacifiCorp Lands; follow up on commercial use term**

Emmerson informed the TCC that she inquired with other PacifiCorp facilities (Southern Oregon, Utah, Idaho) as to how they address “commercial use” on PacifiCorp lands. It does not appear to implicitly be stated in regard to natural resources on the website.

PacifiCorp management decided the best course of action is to edit the Hunting Access website to become a Lewis River Wildlife Lands webpage that include both hunting access, public access, current status of WHMP lands (e.g. closed areas due to Saddle Dam, wildfire, or timber harvest activities), and allowable use on WHMP lands (e.g. no camping, no campfires, and no commercial forest product harvest etc.).

Unlike forest product harvest that have no regulations or management, commercial trapping is managed and regulated by WDFW through a fur dealer license. Therefore, PacifiCorp will consider both recreation and commercial trapping as similar to hunting and it will be allowed to occur on Lewis River PacifiCorp owned lands that are open to hunting. A no-fee trapping permit will need to be submitted to PacifiCorp for approval to ensure that trapping will not interfere with proposed projects or recreation. PacifiCorp’s Utah office has a trapping permit already in place for trapping muskrat, so Emmerson will get that form. Emmerson is targeting June 2021 to update the webpage to address this topic and other WHMP lands website updates. PacifiCorp will provide a draft of the language for TCC review and discussion.

*Break: 10:05*

*Reconvene: 10:10*

#### **Saddle Mountain Trails – Field Visit Update**

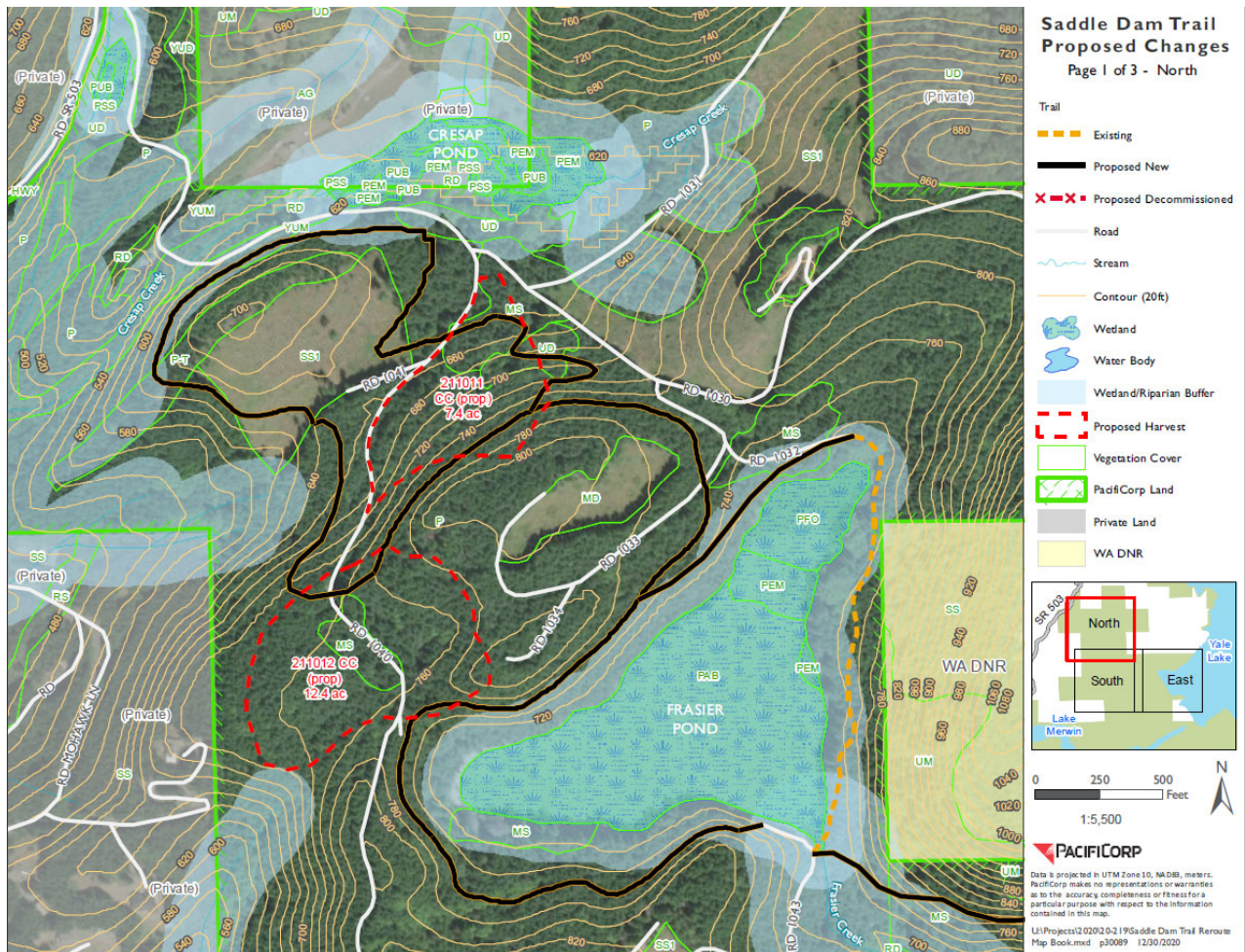
Emmerson informed the TCC that on January 6, 2021 the following individuals participated in a field visit to review the proposed Saddle Mountain Trails:

- Kendel Emmerson
- Jessica Kimmick
- Eric Holman



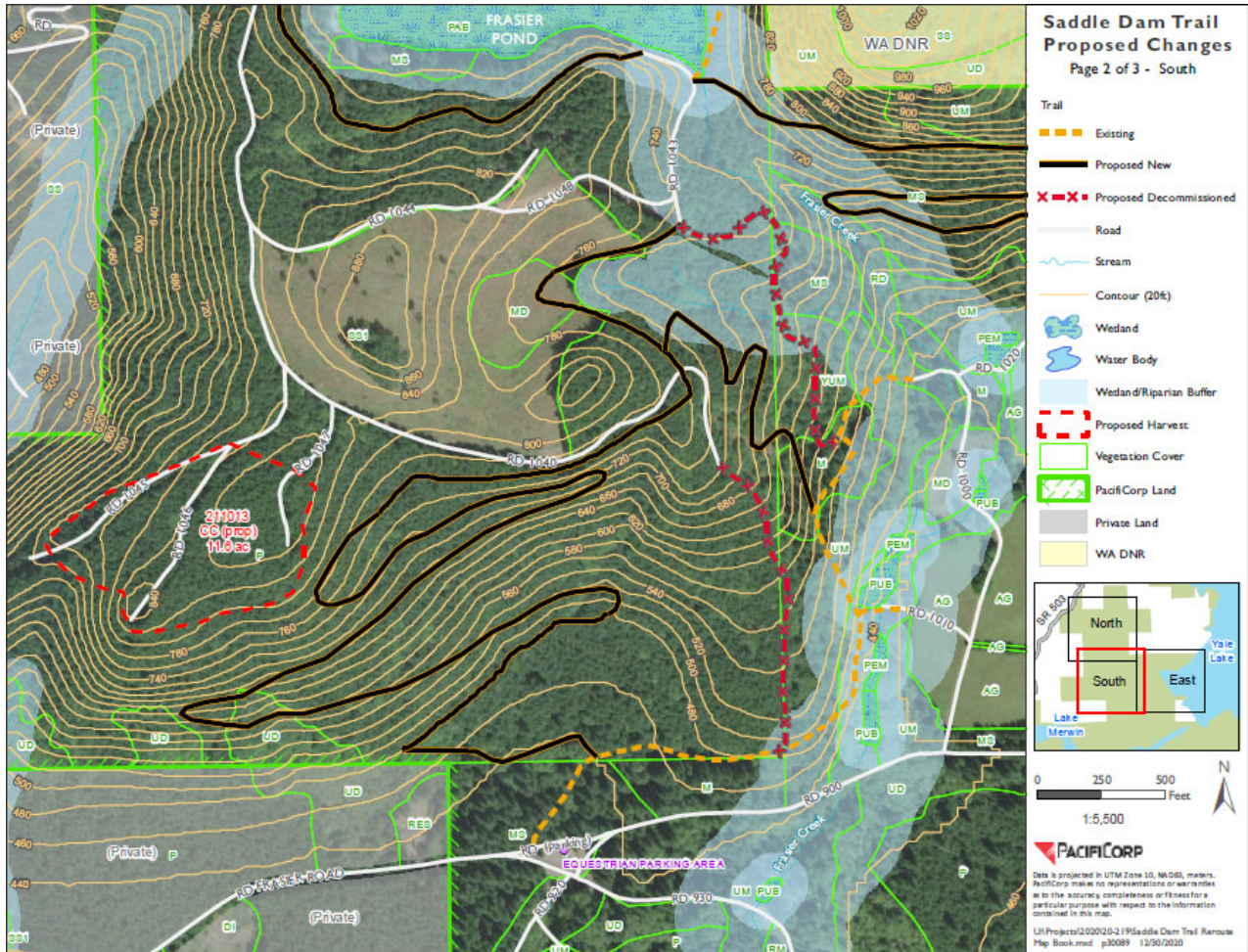
- Erik White
- Kim McCune

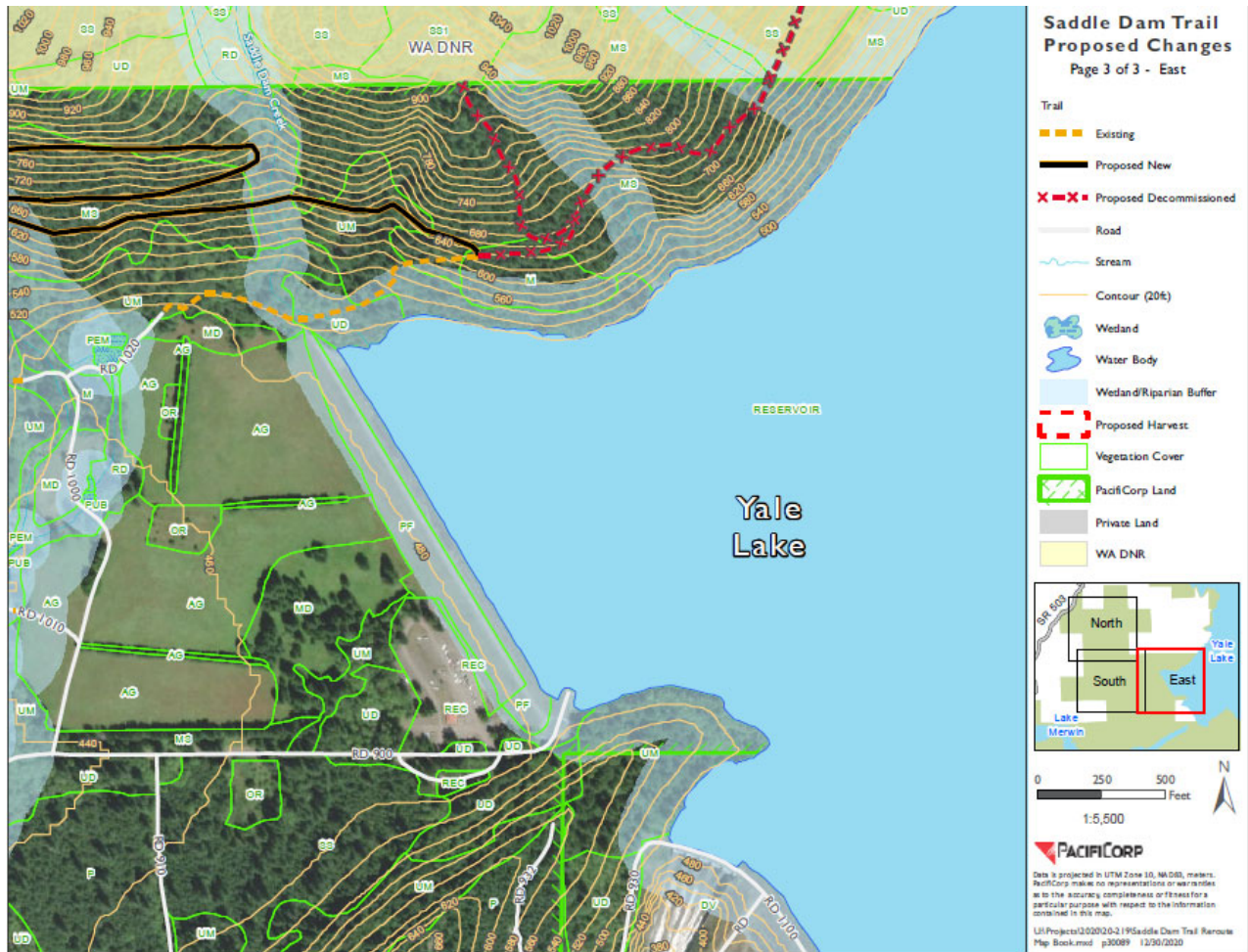
The map below illustrates the proposed trails up and around Frasier Pond to Cresap Pond. The field visit attendees also viewed 2021 proposed timber harvest areas and returned down the ridgeline trail and tied into the Big Tree Trail to see the extensive erosion and pooling water on the trails. Then returned to the equestrian parking via the Big Tree Trail. We got a good idea of what the landscape looks like out there.



Eric Holman (WDFW) noted that part of why the TCC wanted and purchased this unit is for wildlife habitat and its connectivity to other WHMP lands and DNR public lands, farms, forest, wetlands and streams and forest that managed to provide more opened habitat. There is considerable evidence of elk and deer use. We walked near one of the meadows near Fraser Pond and it has a variety of shrubs, and the meadow that is the subject of the rock pit site is really nice and as the trees get bigger that will be even more attractive place for elk use. As we traveled through the proposed 2021 timber harvest areas it was obvious that these areas needed to be opened up for habitat. The existing trails are not terrible; they are down to mineral soil and rock and quite steep in places (user-built trails) and not built with cross grains, ditches, or tank traps as a means to get the water off. These trails will continue to decline and erode if they are not managed, but trail improvements and additions will likely increase public use to the area.





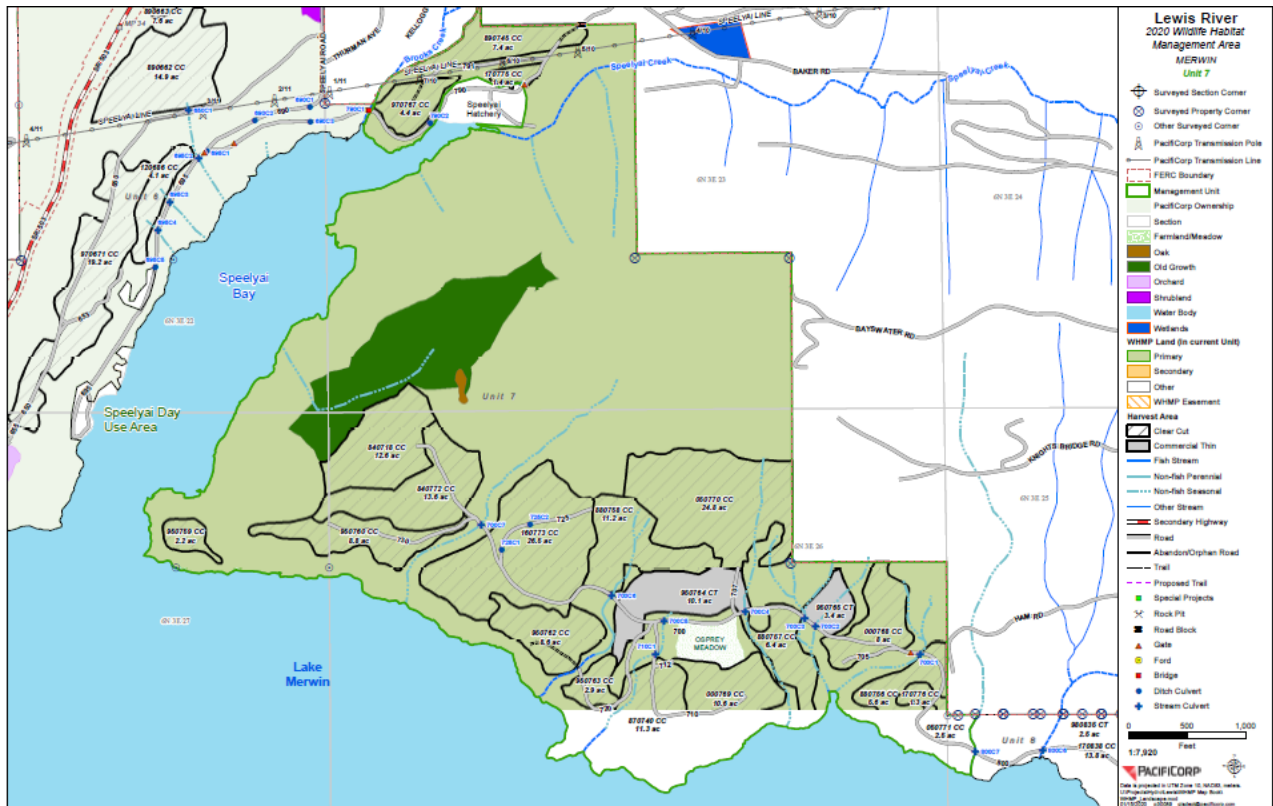


Erik White (Cowlitz Tribe) further expressed that this is a diverse area (ponds, trees, wetlands, tight forest). He concurred with Holman about how we might concentrate activities in one area/unit for trails, fishing around Cresap Bay and then keep other areas/units for more of a wildlife focus such as the area/unit illustrated in the images above.

The TCC representatives gathered in the parking lot after the field visit and discussed other potential areas for trails and PacifiCorp will explore the following:

A potential trail that begins at Speelyai Day Use and possible extends to Cresap Campground or just the old-growth forest and ridge on east side of Speelyai Bay (see map below).





It was also suggested to consider expanding the season for Cresap Bay day use to take pressure off Speelyai and allow more fishing at Merwin. Part of this would be a license amendment with the Recreation group. The intent for the Cresap Bay closure was for elk use (see **Attachment A** for Cresap Bay closure language from the 2004 Settlement Agreement), and Emmerson expressed that she does not see a lot of elk use down there so we are not sure it's a hot bed of elk that was thought to be originally. There was some mention that it was an eagle foraging area because of Cresap. The eagles might use it, but she does not think it's much of a foraging or roosting area because its pretty wind battered, so in the winter the eagles would not likely shelter in the area. There is considerable public parking already in place at Speelyai Hatchery so these could be potential areas for trailhead parking. Speelyai Creek is fairly narrow and has controlled flows so there is potential to add a pedestrian bridge over the creek. Due to topography, old growth, and shoreline buffers PacifiCorp would log in the area east of Speelyai Bay. There are few existing road grades one that that come to the point at Speelyai Bay and other comes up to the old growth forest that could be used as trails. PacifiCorp is going to explore this area for potential trails. The area does have high eagle and osprey use, but most of the big game use is in the eastern portion of the Management unit. This would disperse the recreation use, so it's not so concentrated in the Saddle Dam area, where we already have trail use. PacifiCorp will come back to the TCC in probably March with our findings. In response to Peggy Miller's (WDFW) question, PacifiCorp would not introduce equestrian use on trails in Speelyai Bay area. The trails would be developed and maintained. PacifiCorp trail maintenance is fairly limited to include some brush removal, or the putting chips down in soft areas.

Emmerson said that if we built the trails over at Speelyai Bay, then there would not be money to improve trails at Saddle Mountain. If the TCC felt like a Saddle Mountain or other trails are creating a resource concern then the TCC could authorize WHMP public access funds to make improvements, if building new infrastructure is required Emmerson could request capital funding



(similar to Speelyai Road fence), or it could be part of the mitigation request for creation of additional trails and other proposed trails.

Holman expressed that it makes more sense to have the recreation trails on the Cresap side to disperse use and with less disturbance impacts to wildlife. Miller noted that this idea will also need to be run by the Recreation Committee.

Bill Richardson (RMEF) said it makes sense to put recreation where there is minimal impact, especially developed recreation such as trails.

### **Meeting Protocol; public attendance**

While the TCC meetings are open to the public the TCC has concerns after the December 2020 meeting whereby the public interjected throughout the meeting agenda topics and not only during the public comment period provided. The following is the Lewis River website reference to meeting protocol for public attendance:

#### **ACC & TCC meeting schedule**

The ACC and TCC meetings are open to the public, however, some agenda items are confidential and not open to the public. Meeting dates, locations, and times are subject to change, so please notify the Lewis River Project Coordinator that you will be attending at least eight (8) business days prior to attending. All agenda items and handouts to be distributed to the ACC and/or TCC members must be submitted to PacifiCorp ten (10) days prior to the meeting.

Time will be provided at each meeting for public comment as needed and determined by respective Coordination Committees (e.g., 15 minutes before lunch break and 15 minutes at conclusion of meeting).

And, below is an excerpt from the ACC/TCC Structure & Ground Rules to help guide the TCC when public is in attendance.

#### **V. Roles of the Parties**

##### Interested Parties

Interested parties are those people or entities that are interested in Committee activities, but were not Parties to the Agreement (e.g., general public) or are Agreement Parties that have not designated Committee representatives for membership. To the extent desired by an individual or party, they may receive respective Committee information and attend meetings; however they will not be included in the Consensus process or during confidential sessions. Time will be provided at each meeting for public comment as needed and determined by respective Committees (e.g., 15 minutes before lunch break and 15 minutes at conclusion of meeting).

Miller expressed that the TCC agendas should be modeled after the ACC meeting with a 15-minute comment period at the beginning and the end of the meeting. If the public interjects at other times throughout the meeting the meeting lead can simply request that they hold their comments/questions until the appropriate public comment period as provided on the agenda. McCune will modify all TCC agendas going forward to make it clear that public comment periods are provided at every TCC meeting.

### **Study/Work Product Updates**

*Campers Hideaway* – Emmerson checked in with PacifiCorp's property department and they have moorage work they are doing on the shoreline that includes cultural resource surveys and they are

waiting for the reservoir levels to drop so they can get cultural resource survey scheduled. They want to do their parking lot project plus that work at the same time. Emmerson mentioned that the TCC had concerns about feeding wildlife and what could be done. PacifiCorp Properties Dept. recommended that we request signage to stop feeding wildlife as part of mitigation request. He also said that we can put any signage we want on the PacifiCorp Property, which includes Camper's Hideaway leased areas such the dock, swim area and associated parking area.

*Moss Cave* – Appraisal can be secured once the conservation easement is in place, so approximately another 2 months. Any further detail is considered confidential and not for public viewing.

*Use of Microsoft TEAMS* – The TCC agreed to continue the practice of PacifiCorp attaching all electronic meeting materials to emails rather than a TEAMS meeting invite.

**Agenda items for February 10, 2021**

- Review January 13, 2021 Meeting Notes **(TCC COMMENTS DUE February 1, 2021)**
- Mitigation Table that lists all of the proposed project impacts and provide the BPA mitigation tables that were previously developed.
- Review PacifiCorp WHMP 2020 Report and 2021 Plan
- Review Cowlitz WHMP 2020 Report and 2021 Plan
- 2020 Year End Financials; 2021 WHMP Funds
- Study/Work Product Updates

**Next Scheduled Meeting**

February 10, 2021
TEAMS Meeting Only

**Attachments:**

- January 13, 2021 Meeting Agenda
- **Attachment A** - Cresap Bay closure language from the 2004 Settlement Agreement and other applicable documents

*Adjourn 11:06 a.m.*

**From:** Emmerson, Kendel  
**To:** [Kimmick, Jessica](#)  
**Cc:** [McCune, Kimberly](#)  
**Subject:** Cresap Bay language  
**Date:** Wednesday, February 25, 2015 10:34:00 AM

---

Here are excerpts that relate to Cresap Bay closure. It is probable more information than the general public needs, but I wanted you to have enough background to sound educated on the decision.

### **2004 Settlement Agreement**

#### 11.2.3.12 Merwin Operations and Maintenance.

11.2.3.12.2 Cresap Bay Campground Schedule. Beginning upon Issuance of the New License for the Merwin Project, PacifiCorp shall keep Cresap Bay Campground and Day Use Area open through the month of September, and shall close such areas from October 1 at least through May 1.

Cite as....

PacifiCorp, Cowlitz PUD, National Marine Fisheries Service, National Park Service, Bureau of Land Management, U.S. Fish and Wildlife Service, U.S. Forest Service, Cowlitz Indian Tribe, Confederated Tribes and Bands of the Yakama Nation, Washington Department of Fish and Wildlife, Washington Interagency Committee for Outdoor Recreation, Cowlitz County, Cowlitz-Skamania Fire District No. 7, North Country Emergency Medical Service, City of Woodland, Woodland Chamber of Commerce, Lewis River Community Council, Lewis River Citizens

At-Large, American Rivers, Fish First, Rocky Mountain Elk Foundation, Trout Unlimited, and the Native Fish Society. 2004. Settlement Agreement Concerning the Relicensing of the Lewis River Hydroelectric Projects, Federal Energy Regulatory Commission Project Nos. 935, 2071, 2111, and 2213, Cowlitz, Clark, and Skamania Counties, Washington. November 30, 2004.

### **2006 USFWS/NMGS Biological Opinion**

The BiOp incorporated the SA language on Pages 111, 127, and 131.

The following passage is on page 111 under Effects of Proposed Action on Spotted Owl on Page 110

“The FWS assumes these standards and guidelines will be adhered to in the management of all lands under the WHMPs

- 23 acres (9.3 ha) in the Cresap Bay Recreation Area that will be managed for wildlife except during the peak recreation season (Memorial Day to the end of September) when PacifiCorp will manage for both wildlife and recreation. This area will be closed to



public vehicle access during the off-season with the intent of minimizing disturbance to wildlife. PacifiCorp may need periodic access to Cresap Bay during the off-season for scheduled maintenance; these activities will be timed to minimize disturbance to wildlife and will be discussed with the TCC on an annual basis, except for emergencies.

This Recreation Area is a campground and it does not support spotted owl habitat (K. Naylor, pers. comm., PacifiCorp 2006). Because this location does not support suitable spotted owl habitat, is greater than 0.25 mile from known activity centers, and has ongoing activities associated with it, the FWS concurs that actions conducted in this area are discountable in regards to the spotted owl.”

The following passage is on page 127 under Effects of Proposed Action on Bald Eagle as a Conservation Measures Proposed by Utilities

“The FWS assumes these standards and guidelines will be adhered to in the management of all lands under the WHMPs over the life of licenses.

- 23 acres (9.3 ha) in the Cresap Bay Recreation Area that will be managed for wildlife except during the peak recreation season (Memorial Day to the end of September) when PacifiCorp will manage for both wildlife and recreation. This area will be closed to public vehicle access during the off-season with the intent of minimizing disturbance to wildlife. PacifiCorp may need periodic access to Cresap Bay during the off-season for scheduled maintenance; these activities will be timed to minimize disturbance to wildlife and will be discussed with the TCC on an annual basis, except for emergencies.”

The following passage is on page 134 under the Effects of Action -Increase in Disturbance as a Direct Effect of the Proposed Action

“The 23 acre Cresap Bay Recreation Area will be managed for wildlife except during the peak recreation season (Memorial Day to the end of September) when PacifiCorp will manage for both wildlife and recreation. This area will be closed to public vehicle

access

during the off-season with the intent of minimizing disturbance to wildlife. PacifiCorp may need periodic access to Cresap Bay during the off-season for scheduled maintenance; these activities will be timed to minimize disturbance to wildlife and

will

be discussed with the TCC on an annual basis, except for emergencies. The Cresap

Bay

Recreation Area is not within 800 m of an existing bald eagle nest or known

communal

roost site (K. Emmerson, pers. comm. PacifiCorp 2006). However, this recreation area has trees capable of supporting nesting bald eagles, and is closed during courtship,

egg

laying, and brooding seasons. Therefore, if a pair of bald eagles nested in the area in

the

future, the FWS assumes it would be managed as described above for existing nest

sites.”

Cite as...

USFWS (U.S. Fish and Wildlife Service). 2006. Biological Opinion for the Federal Energy Regulatory Commission Relicensing of the Lewis River Hydroelectric Projects: Merwin (No. 935), Yale (No. 2071), Swift No. 1 (No. 2111), and Swift No. 2 (No. 2213). U.S. Department of the Interior, U.S. Fish and Wildlife Service. Lacey, Washington. 182 pp.

### **2008 Lewis River Wildlife Habitat Management Plan Lands**

- Because of the language identified in the BiOp I included this in the WHMP as 14.5.2 Conservation Measures for Bald Eagles (Page 14-13)

“The USFWS determined that incidental take is not likely to jeopardize the continued existence of the bald eagle if the following conservation measures are implemented:

- To minimize disturbance to wildlife, Cresap Bay will be closed to public vehicle access during the off season. PacifiCorp will need to periodically access Cresap Bay during the off season for scheduled maintenance; these activities will be timed to minimize disturbance to wildlife and will be discussed with the TCC on an annual basis, except for emergencies.”

Cite as....

PacifiCorp and Cowlitz PUD 2006. Lewis River Wildlife Habitat Management Plan Standards and Guidelines Document Version 4/28/06 – 06/14/06. Seattle, Washington. 67 pp.

In summary,

PacifiCorp agree in the Settlement Agreement to Cresap Bay closures to minimize disturbance to sensitive wildlife. Bases on this agreement, this closure has been included in our Biological Opinion with the USFWS and our Lewis River Wildlife Habitat Management Plan for the Lewis River.

Although some allowances have been made (e.g. during Speelyai construction) this has been done only after consultation and agreement with the Terrestrial Coordination Committee (TCC). A committee comprised of USFWS, USFS, Cowlitz Indian Tribes, Rocky Mountain Elk Foundation, and Citizen at Large.

**Kendel Emmerson**

**PacifiCorp Energy | Certified Wildlife Biologist ®**

**503 813-6040 | 825 NE Multnomah Suite 1500 Portland, Oregon 97232**