

# LEWIS RIVER TERRESTRIAL COORDINATION COMMITTEE

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

Location: TEAMS MEETING ONLY

Date: September 8, 2021

Time: 9:00 AM – 11:15 AM

## Agenda Items

- 9:00 a.m. Welcome
- Review Agenda, 7/14/21 Meeting Notes
  - Review and Accept Agenda, 7/14/21 Meeting Notes
- 9:10 a.m. Public Comment Period
- 9:15 a.m. TCC/ACC Annual Report FERC filing data proposed extension
- 9:30 a.m. Saddle Dam Rehabilitation Borrow Pit Mitigation Strategy
- 10:00 a.m. Studebaker Fire and Target Shooting on WHMP lands
- 10:15 a.m. Clarification of the March 10, 2021 (pg 5) TCC meeting Proposed Trail Concept at Speelyai Bay and Cresap Lands; IP Road Trail Alternative Planning
- 10:30 a.m. Study/Work Product Updates
- E-Bike Update
  - Pollinator Project Update
  - Timber Harvest Update and Buncombe Hollow Osprey
  - Moss Cave
- 11:00 a.m. Next Meeting's Agenda
- Public Comment Opportunity
- 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,,12253920# United States, Davenport

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

Meeting Notes  
**Lewis River License Implementation**  
**Terrestrial Coordination Committee (TCC) Meeting**  
**September 8, 2021**  
**Conference Call Only**

**TCC Representatives Present: (9)**

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

**Calendar:**

October 13, 2021	TCC Meeting	TEAMS Call Only
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<b>Assignments for September 8, 2021</b>	<b>Status</b>
Emmerson: Write a memorandum (Record of Decision) and submit to PacifiCorp’s Dam Safety group outlining that the TCC opposes the quarry action due to wildlife disturbance and loss of habitat.	<b>In progress</b>

<b>Assignments for January 13, 2021</b>	<b>Status</b>
Emmerson: 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.	<b>In progress</b>

<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>

Kendel Emmerson (PacifiCorp) called the meeting to order at 9:02am. No additions to the agenda were requested. Emmerson reviewed the meeting notes from July 14, 2021. The meeting notes were approved at 9:15am with no changes.

**Public Comment Period**

None

**TCC/ACC Annual Report FERC; Filing Data Proposed Extension**

Emmerson informed the TCC that the Utilities are proposing to modify the FERC submittal date of the ACC/TCC Annual Report to June 30 of each year rather than April 15<sup>th</sup> which means the TCC will receive the larger document for its 30-day review in early to mid-May. The purpose of this request is much of the ACC data collected from the previous year is not received until late March or

even April so certain fish passage and M&E data may not make it into the report until the following year, creating a lag time. For instance, the 2020 report may have 2019 data included as it didn't make it into the 2019 report. By prolonging the submittal date, the annual report will include all data from the previous reporting year to the FERC submittal which is easier for external stakeholders to locate information for the year they are searching for. **However, this filing extension will include a caveat that the TCC will continue their internal 30-day review schedule of the WHMP Report and Plan which will be reviewed by the TCC each year during the months of February/March.** These two TCC reports are appendices to the larger ACC/TCC Annual Report that will be filed with the FERC on, but no later than June 30<sup>th</sup> of each year for the life of the license.

Emmerson noted that the request to modify the filing date that will be sent to the FERC needs to include that the Utilities have consulted with the TCC and ACC and that they approved of this change. The Utilities plan to write a cover letter to the FERC which we anticipate will be ready for submittal by October 2021 requesting the ACC/TCC Annual Report submittal date extension become effective beginning 2022.

**The TCC Representatives in attendance all approved extending the FERC submittal date of the ACC/TCC Annual Report to June 30 for the life of the license, which is June 2058. PacifiCorp will follow up with a cover letter to the FERC asking their permission to proceed and PacifiCorp will report back to both Committees upon hearing back from the FERC.**

### **Saddle Dam Rehabilitation Borrow Pit Mitigation Strategy**

Emmerson provided a memorandum *Yale Saddle Dam Seismic Remediation Project proposed rock quarry impacts and mitigation strategy for Lewis River Wildlife Habitat Management Plan lands (Attachment A - Memo)* for TCC review and discussion regarding to mitigation options, alternative sources for rock, determine the impacts to WHMP lands from the proposed quarry and identify the appropriate mitigation for such. Erik Holman (WDFW) wanted to know where does the TCC and its responsibility to the WHMP lay and impact to those lands, and where do we (the TCC) fit into that discussion? Can the TCC simply say no, this is a bad project or take the \$500,000 and look for another equal piece of land? PacifiCorp's Dam Safety are trying to figure out if this is a go or no go first before they proceed with certain engineering testing and incur additional costs. If it's a no-go, then PacifiCorp would not continue to spend the money on testing and seek an alternative source (e.g., commercial). The Memo included a Future Use section that discusses the two potential PacifiCorp Dam Safety projects that may use the quarry if it was developed. The future use projects may not happen and the complete scope of the future projects utilizing the quarry is not known at this time.

Emmerson informed the TCC that within the value per acre for permanent loss and value per acre for temporary in the attached Memo, that is the number the TCC can discuss these values can the rationale behind these values. The TCC can increase these values with the appropriate rationale.

There are two (2) things that did not get captured well in the mitigation strategy:

- 1) Blasting can be heard for better than a mile, did not know how to apply the mitigation strategy the TCC had, and
- 2) PacifiCorp engineers requested removing all trees 50' of center of the road; when this is plugged into a mitigation strategy basically you are taking pole habitat and turning it into

meadow. Pole is a 1-1 replacement and Meadow is 2-1 so the value of that does not really fit into our model.

The WHMP impacts to land is assumed that the 10.8 acres will be used as quarry and will be permanently removed from the WHMP lands acres totals, but this could change since request for permits have not yet been filed.

Emmerson reviewed wildlife disturbance sound level threshold and the United States Fish and Wildlife Service (USFWS) has completed extensive research and analysis on construction noise and disturbance to Northern Spotted Owls and Marbled Murrelet (see [Attachment A – Memo](#) for more detail).

**Table 1: Sound Levels for Construction Equipment<sup>1</sup>**

Construction Equipment	Reported Decibel level @50 ft.	Sound Level Category <sup>3</sup>
Front-end loader	87	Medium
Rock Drill	85	Medium
Dump Truck	84	Medium
Combined Rock Drill, Dump Truck, and Front loader <sup>2</sup>	93	High
Rock Blast	112	Extreme

<sup>1</sup> Source: USFWS 2020 Appendix B Table 2.

<sup>2</sup> Doubling equivalents for sound sources results in a 3 dB increase over one source. For example, if two large chain saws will be operating together it will 86 dB + 3 dB= 89 dB (USFWS 2020).

<sup>3</sup> These sound level categories correlate to the sound levels referenced in USFWS 2020 Appendix B Table 1.

*Construction Sound Attenuation*

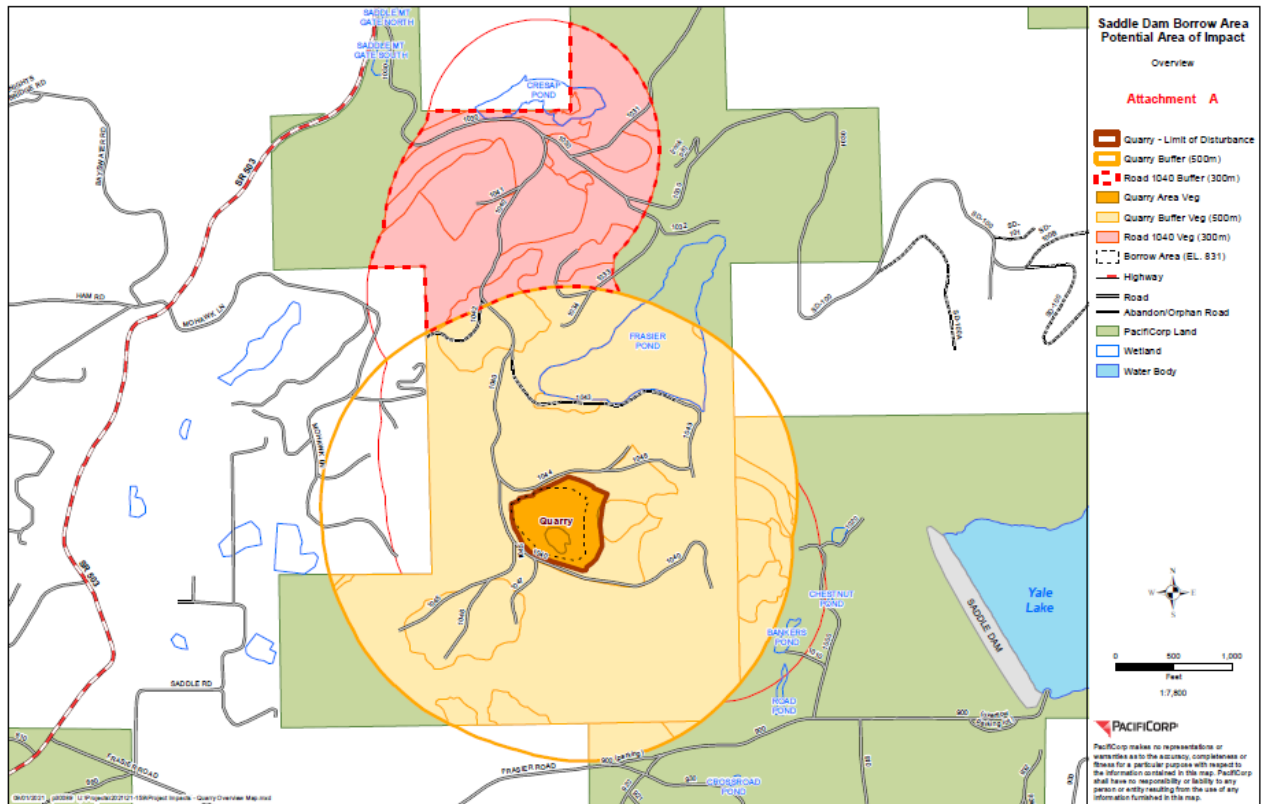
Sound attenuation (i.e., the gradual decline in sound as it moves away from the source) can be calculated by know the dB level of the sound source, the distance it was measured, and distance to the source detecting the sound.

**Table 2: Sound Attenuation Calculations<sup>1</sup>**

Construction Equipment	Reported Decibel level @50 ft.	Distance to reach below 60 dB Feet (meters)	Attenuated Sound Pressure Level A-weighted Decibel (dBA)
Front-end loader	87	1150 (351)	59.8
Rock Drill	85	900 (274)	59.9
Dump Truck	84	800 (244)	59.9
Combined Rock Drill, Dump Truck, and Front loader <sup>2</sup>	93	2250 (716)	59.9
Rock Blast	112	>1 mile or 5280 ft (1609)	71.5

<sup>1</sup> The attenuated sound pressure level was calculated using the Sound Attenuation – Inverse Square Law online calculation (WKC Group 2021).

These calculations above do not factor in vegetation and topography that would dampen or absorb sound over that distance. Therefore, the above listed distances are worse case scenarios and the actual distance to reach 60 dB would be much less. The USFWS has provided some common construction scenarios in forested habitat with recommended auditory disturbance distances. These scenarios are applicable to the quarry development and rock transportation. See image below for potential area of impact. Note that the pink polygon for the road should extend to SR503.



The TCC expressed concern if this is a temporary affect or a permanent affect. If this were a 3-year project and done that is different than the continual use through the life of the license. Bill Richardson (RMEF) expressed that the likely scenario of this being a quarry for PacifiCorp to continue to use and will not likely be decommissioned or provide an adequate rest period to allow wildlife to fully return to the habitat. If the property is made unusable for the purpose it was acquired for, you've lost it so that's permanent. If the quarry goes in the impact will be longer term and wider spread and Richardson considers it a permanent loss. This is an opportunity for the TCC to stand up for mitigation.

**The TCC agreed that the property was purchased for wildlife habitat. Emmerson will produce a memorandum (Record of Decision) to PacifiCorp's Dam Safety group outlining that the TCC opposes the quarry action due to wildlife disturbance and loss of habitat. Even if the TCC were mitigated for the full value of the land we couldn't find habitat of similar value. Elk is still a priority for this area. The TCC agrees that PacifiCorp should look for rock sources outside of WHMP lands.**

Also see an August 2, 2021 letter of opposition provided by Ray Crosswell (RMEF) – **Attachment B**. In addition, the TCC recognizes the repairs to the dam has to take place in that location this rock pit does not. The TCC anticipates working with PacifiCorp on the needed mitigation relative to the dam repair.

### **Clarification of the March 10, 2021 (pg. 5) Meeting Proposed Trail Concept at Speelyai Bay and Cresap Lands; IP Road Trail Alternative Planning**

Summer Peterman (PacifiCorp) communicated to the TCC that upon review of the March 10, 2021 meeting notes the excerpt below was not clear and she would like some clarification on the proposed trail concept and bring more detail to the decision, particularly the sentence highlighted below:

*“The TCC agreed that they want PacifiCorp to focus their efforts on pursuing purchasing a piece of land from DNR or an easement for an out and back trail that heads north through DNR land from the equestrian trail head across the 1020 north of the dam on up to Arrowhead Road. In addition, the TCC would like PacifiCorp to pursue cleaning unauthorized and highly eroded trails in MU 10.*”

*The TCC further agreed that the Speelyai Bay and Cresap trail alternatives are no longer a consideration due to adverse impacts to wildlife on WHMP lands.”*

The TCC confirmed that they want to make a better trail systems in MU 10 and decommission user-built unauthorized trails that could have the potential of expanding endlessly. The TCC suggest that if PacifiCorp provided trails within Unit 10 that are sustainable and well planned it would discourage user-built trails. This trail system should be combined with the potential DNR out and back trail system.

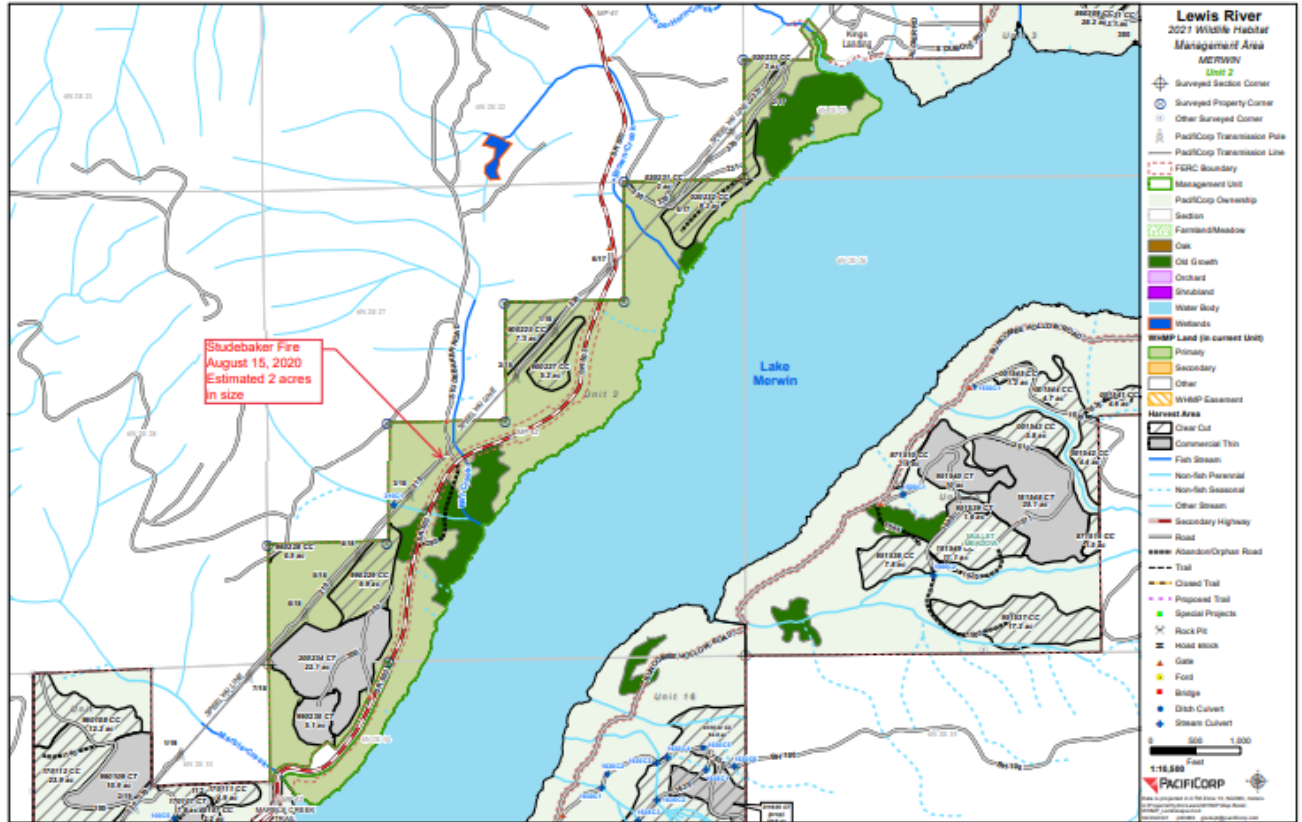
**The TCC agreed to remove the sentence above in yellow and replace with the following and update the March 10, 2021 meeting notes that are currently on the Lewis River website.**

*“.....PacifiCorp to pursue a management strategy for developing and improving a trail-based recreation in Management Unit 10”.*

### **Studebaker Fire**

Emmerson informed the TCC that a fire was started at the gate of Studebaker Road in Management Unit 2. The fire likely was ignited by target shooting, using the gate for holding their guns. The fire was entirely on PacifiCorp land (see images below) and estimated 2 acres. Now there are several trees that are a hazard to the transmission lines. A forester went into this area and identified with a pink ribbon 43 trees that need to be removed and 12 that need to be monitored. Of the 43 they are about 50/50 deciduous to conifer, no cedars. The plan is to drop the 43 trees on the slope, then we will go in and grass seed it and try to plant with trees and shrubs.

How do we feel about target shooting on WHMP lands? WDFW indicated that they have determined that target shooting is acceptable on their lands but only at specific identified sites and managing target shooting can be difficult. Fire, vandalism, garbage and lent to the decisions made by WDFW regarding managing target shooting. Holman suggested continuing target shooting as an allowed use as long as it has not become a big problem, and if this fire is only an isolated incident. PacifiCorp will be posting no target shooting signs at this gate.







## Study/Work Product Updates

- E-Bike Update – Peterman updated TCC on Senate Bill 5452 after reading about it in the Spokesman-Review. **Attachment C** – Senate Bill 5452 Engrossed Substitute Senate Bill 5452

NEW SECTION. **Sec. 1.** (1) The department of natural resources and the department of fish and wildlife shall each undergo a public process to collect information related to electric-assisted bicycle use on nonmotorized natural surface trails and closed roads open to bicycles to determine where such use may occur, and which classes of electric-assisted bicycles are acceptable on such trails and roads under the agencies' management. The public processes must also include a consideration of opportunities to improve awareness of applicable trail rules and trail etiquette among all classes of trail users.

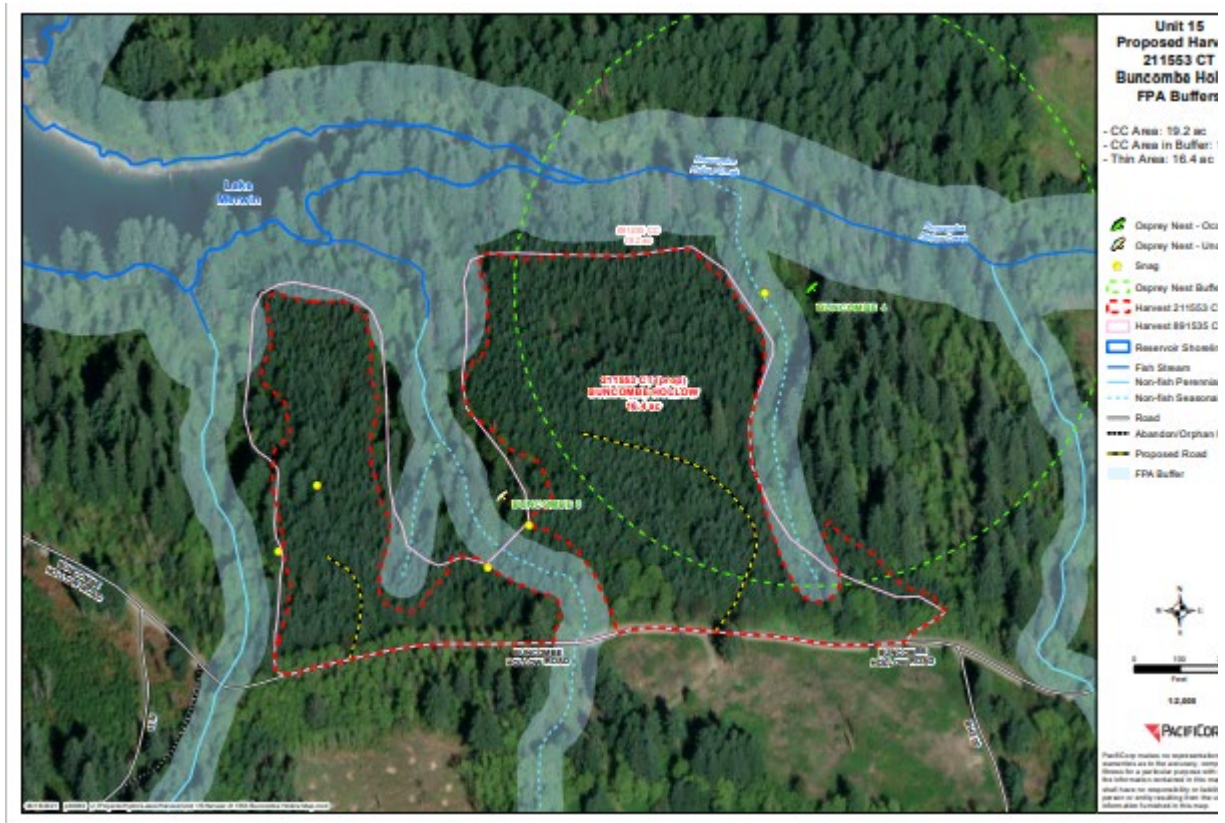
The legislature is directing state land managers to recommend a comprehensive e-bike policy. The reason the study was proposed is because the proposed Senate Bill 5452 stated that anywhere a bicycle is allowed, they should allow the use of Class 1 electric-assisted bicycle, whether it's a natural surface trail, sidewalk, anything. The governor signed this amendment requesting a comprehensive study to be performed, and a recommendation must be submitted by September 30, 2022 that that will give them a year to conduct a summary study. Bill 5452 further states:

(3) Until June 30, 2023, or until legislation is enacted or rules are adopted related to the use of electric-assisted bicycles on nonmotorized natural surface trails and closed roads on lands managed by the department of natural resources and by the department of fish and wildlife, whichever is earlier, the department of natural resources and the department of fish and wildlife must allow persons who possess a current parking placard for persons with disabilities, issued by the department of transportation pursuant to RCW 46.19.030, to use class 1 and class 2 electric-assisted bicycles, as defined in RCW 46.04.169, on all nonmotorized natural surface trails and closed roads on which bicycles are allowed.

PacifiCorp will continue to monitor this information and report back to the TCC.

- *Pollinator Project Update* – All three pollinator sites seem to be working well compared to last year. Peterman decided not to do any management strategy this year. She discovered that the Black-eyed Susan outgrow and are taller than bracken fern. We are still getting pollinator options for all season long and successfully have a flowers blooming throughout the seasons. The next step is finding seed mix that is a bit more affordable. It was \$344 per acre which is high. There are some species that did not bloom at all so we will take those out and dialing it in a bit more so it's more affordable.

- *Timber Harvest Update and Buncombe Hollow Osprey* – Everything is cut and will be hauled to the mill this Friday. Last July there were two young osprey on their nests. Surveys were conducted on August 11 & 19<sup>th</sup> and there was one bird that had fledged. Logging started on August 25<sup>th</sup>. Emmerson conducted a survey on that day and there was no bird. The next day Kendel was at this site observing the juvenile as the logging equipment was approaching into the nest buffer and there was no reaction from the bird to the equipment. The following day there were a few logistical issues with trying to watch this nest such as the brush and slopes toward the creek so there wasn't a really safe place to sit as the logging moved closer. The forester was there and observed the juvenile near the nest and logging within 400' with no reactions. As far as we could tell there was no adverse effect, and the birds were fine. Logging went all very well.



- *Moss Cave* – **The Nature Conservancy made a few revisions to the agreement and PacifiCorp accepted the revisions.** The agreement is currently being signed by both parties. The Nature Conservancy has been working with WDFW on conservation easement which appears to have full support and momentum on being completed.

**Agenda items for October 13, 2021**

- Review September 8, 2021 Meeting Notes **(TCC COMMENTS DUE October 4, 2021)**
- Review the Saddle Mountain Quarry Record of Decision
- Study/Work Product Updates

**Next Scheduled Meeting**

October 13, 2021
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TEAMS Meeting Only
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**Attachments:**

- September 8, 2021 Meeting Agenda
- **Attachment A** - Yale Saddle Dam Seismic Remediation Project proposed rock quarry impacts and mitigation strategy for Lewis River Wildlife Habitat Management Plan lands, September 2, 2021
- **Attachment B** – Letter of Opposition to Rock Quarry, August 2, 2021
- **Attachment C** - An ACT Relating to electric-assisted bicycles; and creating a new section, 2021

*Adjourn 11:45 a.m.*