

**Lewis River Hydroelectric Projects
Terrestrial Coordination Committee (TCC)
Meeting Agenda**

Date & Time: Wednesday, December 13, 2017
9:00 a.m. – 10:45 a.m.

Place: CONFERENCE CALL ONLY

Contacts: Kendel Emmerson (503) 813-6040; cell 503-703-7734

Time	Discussion Item
9:00 a.m.	Welcome <ul style="list-style-type: none">➤ Review Agenda & 11/8/17 Meeting Notes➤ Review and Accept December Agenda & 11/8/17 Meeting Notes
9:15 a.m.	Review DNR Proposed Road in Unit 1
9:30 a.m.	ACC/TCC Structure and Ground Rules; Review and Approve
9:45 a.m.	Review Land Acquisition Purchase and Sale Agreement (Confidential)
10:15 a.m.	Next Meeting's Agenda <ul style="list-style-type: none">➤ Note: all meeting notes and the meeting schedule can be located at: http://www.pacificorp.com/es/hydro.html
10:30 a.m.	Public Comment
10:45 a.m.	<i>Meeting adjourn</i>

Join by Phone

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

+1 (801) 220-5252 [Salt Lake City, Utah]

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

Conference ID: 840905

FINAL Meeting Notes
Lewis River License Implementation
Terrestrial Coordination Committee (TCC) Meeting
December 13, 2017
Conference Call

TCC Participants Present: (8)

Ray Crosswell, RMEF
 Bill Richardson, RMEF
 Kendel Emmerson, PacifiCorp
 Summer Peterman, PacifiCorp
 Kim McCune, PacifiCorp
 Amanda Froberg, Cowlitz PUD
 Peggy Miller, WDFW
 Neil Chartier, USDA Forest Service

Calendar:

January 10, 2017	TCC Meeting	HCC
February 7, 2017	TCC Meeting	HCC

Assignments from December 13, 2017	Status
McCune: Confirm with ACC if this language from WDFW can be stricken from the Ground Rules, <i>“Comments received after the agreed upon date will be considered if a Representative requests an extension before the agreed upon date, and the extension can be reasonably accommodated by the Licensees”</i> ACC approved modified text is, <i>“If a Representative requests an extension before the agreed upon due date, Licensees will consider accommodating an extension”</i> .	Complete – 12/14/17; ACC agreed to modified text

Assignments from October 11, 2017	Status
Emmerson: To develop a hunting access map for PacifiCorp website that shows closed or restricted hunting areas, roads, and gates.	In progress

Assignments from June 14, 2017	Status
Reynolds: Schedule a conference call with appropriate parties specific to the TNC Conservation Easement.	In progress

Assignments from April 12, 2017	Status
Emmerson/McCune: Contact PacifiCorp’s properties department to discuss further TNC detail and report to the TCC at the May meeting.	In progress

Assignments from July 13, 2016	Status
Emmerson: Report back to the TCC regarding status of the Property Encroachment and Shoreline Permit Application. The landowner resubmitted the shoreline permit with the requested changes, which included rebuilding the dressing shed in the same footprint and changing removing shrubs to pruning vegetation. The property encroachment still in progress.	Complete – permit appl received;

Parking Lot Items	Status
McCune: Add the Fisher CCAA conservation measures in in 2017 WHMP Annual Report and in year 17 re-write (incorporate into Best Management Practices).	Complete – 2/8/18
WDFW: In regards to 10.3.3, Matching Funds Eagle Island Project the TCC would like a 1-2-page progress report of project status with photos after the grant term expires (12-31-2017).	Provided status update as of 11/8/17

Kendel Emmerson (PacifiCorp) called the meeting to order at 9:05am. Emmerson reviewed the agenda and asked the TCC if there were any changes/additions. No additions to the agenda.

The TCC reviewed the November 8, 2017 meeting notes and no changes were requested. The meeting notes were approved at 9:10 a.m.

Public Comment Opportunity:

None

Review DNR Proposed Road in Unit 1:

PacifiCorp received comments/suggestions from USFS, WDFW and John Clapp (Citizens at-large) regarding conditions that PacifiCorp will request in the DNR Road Use Permit (see **Attachment A** for proposed road detail):

1. **From:** Tracy, Ruth -FS [<mailto:rtracy@fs.fed.us>]
Sent: Tuesday, December 12, 2017 8:12 AM
To: McCune, Kimberly <Kimberly.McCune@pacificorp.com>
Subject: RE: PLEASE REVIEW - Unit I WDNR Road Use Permit

As a quick look, I recommend adding verbage to this bullet

- *Roads will not be outsloped.* If roads are not outsloped then they usually have an inboard ditch in sections which should require culverts to relieve the ditch flow onto the other side of the road. Waterbars usually are only put on a road when log haul will not be occurring and should be recommended when logging operations are suspended like during the winter.
- Waterbars will be installed to allow road drainage (including consideration of snow melt) across the road prism and at a frequency necessary to avoid concentrated flows or at PacifiCorp discretion.

PacifiCorp Response: Emmerson noted that outsloping might not be required in the area will add the language that waterbars/culverts will installed at PacifiCorp's discretion.

2. **From:** Miller, Peggy A (DFW) [mailto:Peggy.Miller@dfw.wa.gov]
Sent: Tuesday, December 05, 2017 12:39 PM
To: TCC Participants
Subject: RE: PLEASE REVIEW - Unit I WDNR Road Use Permit

Greetings,

WDFW supports giving DNR a Road Use Permit (RUP) to pass through WHMP lands to access their lands.

On a landscape level, going through a pole stand on WHMP land has less impacts and more benefits to fish and wildlife than cutting a road through part of an old-growth riparian forest and crossing Marble Creek to get to their parcel.

- When decommissioned, the grassed road will act as a temporary long skinny forage area benefiting elk.
- Issuing the RUP will help foster a cooperative relationship between PacifiCorp and DNR
- By avoiding old-growth riparian forest and crossing Marble Creek, the riparian buffer on Marble Creek remains intact benefiting both fish and riparian species and instream habitat is not disturbed.

Thanks,
Eric and Peggy

PacifiCorp Response: Emmerson notes that PacifiCorp will monitor and control grass seeding efforts rather than an outside party accessing PacifiCorp lands after the road decommissioning.

3. **From:** john clapp [mailto:jmcmapple@gmail.com]
Sent: Saturday, December 02, 2017 2:48 PM
To: McCune, Kimberly <Kimberly.McCune@pacificorp.com>
Subject: Re: PLEASE REVIEW - Unit I WDNR Road Use Permit

I am assuming that any merchantable trees that are removed and processed, those funds will go back into our wildlife funds? outside of that I have faith in Kendal to keep an eye on the operation. I have little faith in DNR as they have a sordid history of violating there own logging rules. any further restrictions that Kendal feels are necessary, she has my vote.
john

PacifiCorp Response:

From: McCune, Kimberly
Sent: Tuesday, December 05, 2017 9:43 AM
To: John Clapp <jmcmapple@gmail.com>
Cc: TCC Participants
Subject: RE: PLEASE REVIEW - Unit I WDNR Road Use Permit

Good morning, John. Please see the response below:

Thank you for your comments and compliments. Unfortunately, the Settlement Agreement 10.8.2.3 Management of Funds does not allow for timber revenue to be returned back to the WHMP program:

10.8.2.3 Management of Funds. Funds provided by Licensees under this Section 10.8.2 shall be made available for lands associated with each Project (as shown in Exhibit A for PacifiCorp and Exhibit B for Cowlitz PUD) six months after the relevant Project's New License is Issued and annually thereafter. Such funds shall be held in a Tracking Account and shall be expended by the Licensees on their respective lands as their WHMPs are implemented under Section 10.8. The Licensees shall accrue interest on Fund monies held by the Licensees from the date the monies are due to be placed into the Fund, at the prime interest rate printed in the *Wall Street Journal* for the weekday nearest to April 1 of each year. If such rate ceases to be published in the *Wall Street Journal*, the Parties shall meet and agree upon an alternate source for the prime interest rate. Interest shall be computed, compounded, and added to the Fund once annually as of that date. PacifiCorp's total funding (but not the amount per acre) will increase as acres of Interests in Land are acquired to be managed under its WHMP. However, except as provided in Section 10.8.5 below, the funding provided in this Section 10.8.2 shall completely fulfill and satisfy the Licensees' respective obligations to fund implementation, modification, and monitoring of the Interests in Land subject to their respective WHMPs. No provision of the WHMPs, nor any action of the Parties under this Agreement, shall increase the monetary obligations of the Licensees with respect to their WHMPs without the express written consent of the affected Licensee. Funds that are not spent in a given year will be carried over to be used for future implementation of the respective WHMP. **Any funds derived from management of lands subject to the WHMPs, including compensation for timber removed pursuant to the WHMPs, shall be retained by the Licensees for their respective properties.**

The trees that will be removed are fairly small in size and not high value, so I intend to have the timber value determined and included in the Road Use Permit fee. This Road Use Permit fee is revenue to PacifiCorp and does not get rolled back into the WHMP program as stated above. The DNR will be responsible for removal and hauling the trees to the mill. This will avoid the WHMP having to spend any budget on tree removal, so although no revenue will be received there will also be no costs to the WHMP program. If the DNR removes any trees larger than 24 inches in diameter, then I would request the tree be left on site as wildlife log. Since we will request all trees greater than 20 inches in diameter be avoided, this should not be an issue.

If you have any further questions please let me know.

Kendel Emmerson, CWB®
503 813-6040 | 825 NE Multnomah Suite 1500 Portland, Oregon 97232

ACC/TCC Structure and Ground Rules; review and discuss revision
Amanda Froberg (Cowlitz PUD) informed the TCC attendees that the Utilities are requesting a quick review of the draft Terrestrial and Aquatic Coordination Committee Structure and Ground Rules. The Utilities wish to remove the following WDFW requested edit on page 2 and would like the TCC approval:

“Comments received after the agreed upon date will be considered if a Representative requests an extension before the agreed upon date, and the extension can be reasonably accommodated by the Licensees”. The Utilities expressed that this added language lessens the focused intent that all members be timely in providing their input.

Peggy Miller (WDFW) noted that the intent of this addition is in the event a TCC representative had an unforeseeable emergency that would require the need to request more review time. McCune noted that the language on page 6 under Attendance says, *“If possible, each Representative will have designated one or more alternates who can represent their organization when needed”*, which she thought addressed WDFW’s concern. In summary, PacifiCorp said an alternate should be called upon in the event of an emergency rather than extending a review deadline.

The TCC attendees agreed to remove the above-referenced language on page 2, however, the TCC first wants the Utilities to discuss this same request with the ACC and seek their comments/approval before finalizing the document.

Land Acquisition Update (CONFIDENTIAL)

Letter of Intent will be sent to landowner mid-January 2018 to include an access agreement for signature. Additional detail around this topic is considered confidential and proprietary and not for public viewing.

<9:35am Meeting Adjourned>

Agenda items for February 7, 2018

- Review December 13, 2017 Meeting Notes
- Utilities WHMP 2018 Annual Plans and 2017 Reports - Review
- Review Land Acquisition Purchase and Sale Agreement (**Confidential**)
- Study/Work Product Updates

Next Scheduled Meeting

February 7, 2018
Location: HCC

Attachments:

- December 13, 2017 Meeting Agenda
- **Attachment A** – DNR Proposed Road; Unit 1 WDNR Road Use

McCune, Kimberly

From: McCune, Kimberly
Sent: Friday, December 01, 2017 1:56 PM
To: Amanda Froberg; Amelia Johnson; Bill Richardson; Bob Nelson; Chartier, Neil - FS; Emmerson, Kendel; Eric Holman; Erik White; James H Malinowski; John Clapp; Mariah Stoll-Smith Reese; Michelle Day; Nathan Reynolds; Olson, Todd; Patrick Lee; Peggy Miller; Peterman, Summer; Ray Crosswell; Ruth Tracy; Steve Manlow; Tim Romanski; 'Weinheimer, John (DFW)'
Subject: PLEASE REVIEW - Unit I WDNR Road Use Permit
Attachments: DNR Proposed Road.pdf; 20171113_090646.jpg; 20171113_090614.jpg

On behalf of Kendel Emmerson please see the details below.

Greetings TCC:

The Washington Department of Natural Resources is requesting a Road Use Permit (RUP) to pass through WHMP lands to access their lands. As I discussed at the November TCC meeting that DNR would need to cross through old-growth riparian forest and cross Marble Creek (a fish-bearing stream) to access this parcel. The attached map shows the approximate location and it is estimated to be 600 feet in length. The exact location and distance will be determine by a survey. As you can see in the attached pictures and map the vegetation is conifer pole. This stand is part of a 1996 clearcut. There are some leave trees that will need to be avoided but the topography is slightly sloped so that should be feasible. The non-fish seasonal stream certainly does not extend as far as shown on the map and may not actually exist. Regardless, the road is outside of the buffer.

The WDNR needs to have the RUP in place by March 2018, so the TCC will need to finalize their decision on conditions by the December 13, 2017 meeting. This will allow PacifiCorp time to finalize the language in the RUP. The WDNR will be selling the timber harvest in September 2018 and then, typically, will have two (2) years to complete the timber harvest contract. The proposed action could be completed anytime between September 2018 to September 2020.

Conditions that we will request in the RUP will include the following:

- No standing trees >15 inches in dbh. Western red cedars of any size, or snags greater than 20 inches in dbh will be removed without prior PacifiCorp permission.
- No logs greater than or equal to 24 inches in diameter will be removed without prior PacifiCorp permission.
- Tree removal and road construction (construction and abandonment) will occur between July 15 - September 30.
- Access permit will be for 3 years to allow DNR to complete all associated timber harvest activities (preparation, harvest, and planting).
- Road will be no more than 12-foot running surface.
- Roads will not be outsloped.
- Stumps will be left in tack and not grubbed out.
- Waterbars will be installed at PacifiCorp discretion.
- All vegetation removed on PacifiCorp lands will be hauled to DNR land and piled.
- Merchantable trees from PacifiCorp's lands will be process and scaled.
- Property lines will be surveyed and staked.
- Abandon Road to minimum of 6" depth and grass seeded.

- The road at the property line will be blocked with available slash to prevent trespass onto PacifiCorp's property.

Please review and we can discuss further at the December 13th TCC meeting.
















Kendel Emmerson

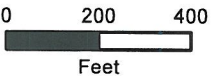
PacifiCorp | Certified Wildlife Biologist ®

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

WA DNR

Proposed Road and Harvest Areas

-  Proposed DNR Road
-  Proposed DNR Harvest Area
-  Water Body Outline
-  Highway
-  Road
-  Fish Stream
-  Non-fish Perennial
-  Non-fish Seasonal
-  Other Stream
-  Stream Buffer
-  2017 Harvest
-  PacifiCorp Land
-  Vegetation Cover
-  WA DNR Land
-  Section



1:5,000



PacifiCorp makes no representations or warranties as to the accuracy, completeness or fitness for a particular purpose with respect to the information contained in this map. PacifiCorp shall have no responsibility or liability to any person or entity resulting from the use of any information furnished in this map.

