

FINAL Meeting Notes
Lewis River License Implementation
Terrestrial Coordination Committee (TCC) Meeting
December 12, 2007
Ariel, WA

TCC Participants Present: (13)

Brock Applegate, WDFW (via teleconference)
Ray Croswell, RMEF (9:00am – 9:20am)
Kendel Emmerson, PacifiCorp Energy
Diana Gritten-MacDonald, Cowlitz PUD
Eric Holman, WDFW
Mike Iyall, Cowlitz Indian Tribe
LouEllyn Jones, USFWS (9:00am – 12:00pm)
Curt Leigh, WDFW (via teleconference 9:00am – 12:00pm)
Kimberly McCune, PacifiCorp Energy
David Moore, PacifiCorp Energy (via teleconference 10:05am – 10:35am)
Bob Nelson, RMEF (via teleconference 9:00am – 10:00am)
Todd Olson, PacifiCorp Energy
Kirk Naylor, PacifiCorp Energy

Calendar:

January 9, 2008	TCC Meeting	Longview, WA
January 10, 2008	ACC Meeting	Merwin Hydro Facility

Assignments from December 12th Meeting:	Status
McCune: Email the TCC 10/10/07 final meeting notes to Brock Applegate to confirm WDFW requested changes are in the final version.	Complete – 12/13/07
Emmerson: Review past TCC meeting notes to find how the TCC came to the spotted owl habitat objectives by January 9, 2008 meeting.	Complete – 1/9/08
Emmerson: Bring two Appendix X-1 tables to January 9, 2008 meeting. One with vegetation cover types and one without.	Complete – 1/7/08
Naylor: Provide PacifiCorp ownership and vegetation cover type maps within the SOSEA at January 9, 2008 meeting.	Pending
Applegate: Verify the estimated effort for Broadcast Acoustical Survey for Northern Goshawks with WDFW colleges by January 9, 2008.	Pending
Applegate: Provide additional data relating to an open water to cover ratio of 25:75, as recommended by WDFW in edits to the first paragraph, page 10 of the Wetland WHMP chapter.	Pending

Assignments from November 14th Meeting:	Status
Emmerson: To provide documentation (e.g. maps or memo) demonstrating how the mink HSI model 100m cover variable will be determined using vegetation cover types.	Complete 12/31/07

McCune: Email the Lewis River Yale Land Fund financial spreadsheet as of 10/31/07 to all TCC participants.	Complete – 11/14/07
McCune: Email the Daily News article link to the TCC for their review, relating to ATV use on PacifiCorp lands.	Complete – 11/14/07
McCune: Email a Word version of both the draft raptor and wetland WHMP chapters for, per Brock Applegate's request.	Complete – 11/14/07
McCune: Mail hard copies or an electronic version of the WHMP Draft Raptor and Wetland chapters to all TCC participants not in attendance who have requested the documents.	Complete – 11/14/07

Assignments from September 12, 2007 Meeting:	Status
Naylor/Emmerson: Incorporate the following text into the Forest Management chapter of the WHMP, <i>"Prior to any harvest, the areas will be evaluated (ground truth) to determine whether or not the area qualifies as NSO habitat."</i>	In process
McCune: Email Attachment C, Management Alternatives relating to HEP assumptions to the TCC for their review.	Complete – 9/14/07
Emmerson: Revise the NSO memorandum, distribute to the TCC and request final approval at the October 10, 2007 TCC meeting.	Complete – 9/20/07

Parking lot items from February 10, 2006 Meeting:	Status
PacifiCorp Wildlife Habitat Management Plan (WHMP) Budget (annual)	
Conservation Agreement – what is wanted?	Ongoing – 4/28/06

Review of Agenda

Kirk Naylor (PacifiCorp Energy) called the meeting to order at 9:05am. Naylor conducted a review of the agenda for the day and requested if the TCC had any additions to the agenda. No additions were requested.

Finalize Meeting Notes

Naylor reviewed the TCC Draft 11/14/07 meeting notes with the TCC attendees and asked for any comments and/or additional changes other than those submitted via email by WDFW. Brock Applegate (WDFW) requested Kimberly McCune (PacifiCorp Energy) identify the changes in the TCC 10/10/07 meeting notes and email the final version to his attention.

The meeting notes were approved with no changes at 9:10am.

Lands Update Discussion

Ray Crosswell (RMEF) provided an update relating to interests in certain lands, however, this discussion is considered confidential and proprietary and not for public viewing.

Todd Olson (PacifiCorp Energy) provided the current balance in the Yale Land Fund (**Attachment A**) as of 11/30/07 to all TCC participants.

Shoreline Management Plan Discussion – Draft Shoreline Categories and Allowable Uses

Olson provided a PowerPoint overview of the document titled, “*Lewis River Projects Shoreline Management Plan (SMP) – Draft Shoreline Classifications and Allowable Uses*”, which can be viewed on the Lewis River website at the following link:

<http://www.pacificorp.com/Article/Article76313.html>

Olson informed the TCC attendees that PacifiCorp is committed to developing a forward looking Shoreline Management Plan, encompassing the spirit and objectives of the Lewis River Settlement Agreement. In addition, the SMP will serve as a tool to assist in effectively analyzing appropriate shoreline uses within the Project boundaries, as well as provide a supportable and defensible means for shoreline management and permitting decisions. The area of effect for the SMP is the area from the FERC Project boundary down slope to the reservoir water surface. For each of the reservoirs, the FERC boundary is 10 vertical feet above full pool elevation. This shoreline buffer may include PacifiCorp’s WHMP lands where the company has shoreline ownership, however, not all land within the FERC Project boundary is managed for wildlife (i.e. PacifiCorp does not manage non-company lands).

Olson also provided a memorandum outlining the purpose of the SMP, the goals and objectives, draft classifications and draft allowable use categories (**Attachment B**). Olson discussed the following elements which make up the development of a shoreline management plan:

Olson discussed the following elements which make up the development of a shoreline management plan:

- Management Goals and Objectives
- Land Use Classifications
- Allowable Uses
- Permitting Policies & Standards
- SMP Update Policies
- Consultation Procedures

He further discussed the draft shoreline management classifications to include:

- Resource Management
- Integrated Use
- Project Works

For those areas designated as resource management areas consideration was given to species protection and sensitive habitats for protected and sensitive species. Integrated use shoreline areas are those with no known significant environmental/cultural resources or associated resource management goals that would preclude existing uses or would deny permitting allowable shoreline uses in the future. Areas designated as project works are any areas necessary to meet Project operational requirements. PacifiCorp must maintain strict control over all infrastructures that are essential to Project operations and to which, due to safety, operational, or other constraints, public access may be legitimately restricted.

Olson reviewed the draft allowable uses by shoreline classification and requested input from the TCC attendees. General discussion took place regarding the preference for multi-slip docks where allowed rather than single family docks. Mike Iyall (Cowlitz Indian Tribe) expressed concern that it is important to keep in mind the topic of no over water fueling. He further stated that the boats will have to come out of the water for fueling particularly those with fixed tanks. A suggestion was made to consider adding to the dock permits a restriction that if over-water fueling is violated the dock permit can be revoked.

LouEllyn Jones (USFWS) expressed that riprap or similar form of erosion control should be avoided for managing certain species of fish. Riprap will only increase habitat for predators of protected species. Olson responded that the use of riprap will be reviewed on a case-by-case basis in permitted areas. Jones suggested PacifiCorp provide preferred methods of erosion control such as Eric Holman's (WDFW) response to add bioengineering for natural erosion control rather than saying riprap.

Discussion took place regarding conditions for permitting, incentives for neighborhood docks to streamline the permitting process, grace periods relating to violations or need for dock removal, time limit for existing docks to be brought up to construction standard of new docks, clarification is needed when existing docks must be brought up to standard, photos of existing facilities needed, and size of existing docks (surface square footage limit).

Olson reviewed draft maps of Merwin, Yale and Swift 1 which illustrated the suggested resource management, project works and integrated shoreline classification areas.

Olson informed the TCC attendees that PacifiCorp will make it very clear in the dock permitting process that the Company is not liable for large woody debris or anything that may happen to the docks due to the operation of the reservoir; to include that PacifiCorp does not guarantee year round usage of the dock due to fluctuation of reservoir levels.

A suggestion was made to provide signs on each allowable/permitted dock to include text largely similar to:

- Permit number
- Notice water levels will fluctuate as necessary for hydro operations
- No over-water fueling

In addition, incidental use of private neighborhood docks will be considered to respond to the public's need of emergency fuel outage or other similar unexpected emergencies.

Olson expressed that PacifiCorp has very little land ownership on Swift Reservoir; however, much of the reservoir is identified as resource management due to steep slopes and the need for erosion control, in addition to wildlife habitat protection. Certain cove areas are designated for project works in order that PacifiCorp may collect large woody debris. Preliminary plans are being assessed to install a log boom for debris collection, as a protection measure for the floating fish collector down river.

Olson informed the TCC that a draft of the SMP will likely be released to the public in late January 2008 and PacifiCorp plans to conduct another public meeting shortly thereafter.

Additional requests were made to consider modifications in the SMP to keep boaters out of critical areas to protect bull trout, to consider county plans such as the Skamania County Sub basin Plan, and to consider dispersed camping and its affect on wildlife lands.

Olson requested the TCC attendees provide comments on the draft SMP classifications and allowable uses on or before Friday, December 28, 2007. PacifiCorp will provide revised maps illustrating any changes to the shoreline classifications at the January 9, 2008 TCC meeting for TCC review prior to release to the general public.

<Break 10:35am>

<Reconvene 10:45am>

Overview of Draft Wildlife Habitat Management Plan (WHMP) Chapters

Kendel Emmerson conducted the review of each chapter beginning with Wetland Habitat Management. The edits requested by the TCC attendees have been approved as follows:

Wetlands –

Section X.2 Management Goal and Objectives

X2.2 Objectives

Objective b – Mitch Wainwright sent the following comment in an email sent on 11.26.07: “In the wetlands chapter: Page 2, objective b, It's not clear how shrub cover can be increased in a forested situation without significantly reducing the overstory shading. Maybe this should be described for areas that are currently in a relatively open condition (i.e. less than 40% canopy cover of overstory trees) rather than for all forested wetlands.” Kendel reiterated that in some cases that overstory trees may need to be topped or girdled to increase shrub cover and that this will be determine on a case by case basis.

Objective e – Contains a typo; modify first sentence to read as follows:

Identify and establish buffers to maintain and protect wetland habitat and functions using the following guidelines as a minimum when planning forest management activities: (1) 150 feet (45 meters) as measured from the edge of the hydric vegetation, or height of one site potential tree, whichever is greater, for wetlands greater than or equal to 1.0 acre (0.4 hectare); and (2) 100 feet (30 meters) as measured from the edge of the hydric vegetation, or the height of one site potential tree, whichever is greater, for wetlands less than 1.0 acre (0.4 hectare).

Section X.5 Management Actions

X.5.1 Water Control

Modify first sentence to read as follows: Many of the Merwin WHMP wetlands have water control structures or dikes to retain and/or control water levels.

Dike Maintenance

Modify second bullet to read as follows:

- Revegetate dikes with grasses, sedges, forbs, or shrubs, in consideration of native vegetation and adjoining habitats to stabilize soils following ground disturbance activities.

X.5.2 Vegetation Management

Applegate requested edits in the first paragraph regarding open water ratio. Prior to accepting the requested changes the TCC requested he provide additional data relating to an open water to cover ratio of 25:75, as recommended by WDFW in edits to the first paragraph, page 10 of the Wetland WHMP chapter.

Modify third bullet to read as follows:

- Forest management activities are prohibited within the wetland buffer without prior TCC approval and must address a specific wildlife management objective.

X.5.3 Yellow Warbler and Mink Habitat Enhancement

Modify the first sentence in the second paragraph to read as follows: The yellow warbler's habitat requirements are more specific than mink, therefore it is assumed that management actions that improve yellow warbler habitat will also benefit mink habitat, and will also benefit mink cover habitat.

Modify the last sentence of the third bullet to read as follows:

- All tree tops or fallen trees will remain in the wetland and the wetland buffers, unless they are inconsistent with wetland objectives.

X.5.4 Waterfowl and Bat Habitat Enhancement

Modify the fourth bullet to read as follows:

- Develop snags or artificial structures around the wetland edge to increase down wood, create roosts for bats, and nesting cavities for ducks.

Modify the second sentence of the fifth bullet to read as follows:

- Methods used will be dependent on site conditions and plant species, but should occur at a time to avoid impacting pond breeding amphibians and other wildlife.

Modify the sixth bullet to read as follows:

- Promote overhanging vegetation to create diversity and to promote cover habitat for nesting ducks.

X.5.5 Bullfrog Management

Modify first sentence of the second bullet to read as follows:

- Drawdown wetlands that have water control structures annually by removing as many stoplogs as possible between August 15 and September 15.

<Lunch 11:55am>

<Reconvene 12:30pm>

Raptor -

The edits requested by the TCC attendees have been approved as follows:

Section X.1 Introduction

- 2nd paragraph first sentence should follow the language of the Settlement Agreement and include buteos, vultures, and accipiters
- 2nd paragraph first sentence insert “and Golden” into the Bald Eagle Protection Act and remove the word active.

Section X.2.2 Objectives

- Objective K change USDI-FS to USDA-FS.

Section X.2.3 Species Associations

- 2nd sentence replace “As a result” with “Because raptors use various habitats,” at the start.

Section X.3 Raptor Management

- Table X.3.1 insert merlin, golden eagle, and vulture.

Section X.4.1 Monitoring

- 3rd bullet 1st sub bullet insert “, evidence or signs of nest site occupancy (e.g. eggshell fragments, molted feathers close together etc.)” after the word eggs
- 5th bullet insert “, per Stofel (2006),” after the word years
- Bald Eagle Roost Monitoring 1st paragraph 3rd sentence change then to than
- Communal Roost Monitoring 4th bullet provide a citation for the 30 minutes prior to sunrise
- Monitoring Suitable Habitat for Potential Communal Roosts 2nd bullet insert “with one survey occurring in each month of” after the word year
- Monitoring Suitable Habitat for Potential Communal Roosts delete the 8th bullet
- Monitoring Suitable Habitat for Potential Communal Roosts 9th bullet 2nd sentence insert “(staging tree)” after the word departure
- Anecdotal Observations at end of 3rd sentence insert “(X.4.3)” after the word practices

Section X.4.2 Habitat Enhancement

- 2nd paragraph 3rd sentence insert “by PacifiCorp in cooperation with WDFW” after the word developed.

Section X.4.3 Best Management Practices

- General raptor 5th bullet 2nd paragraph insert “,” after the word unoccupied
- Northern spotted owl 2nd bullet delete “WHMP”, insert “necessitate the removal of” after the word that, and insert “will be approved by the TCC” after the phrase August 31.
- Northern spotted owl 6th bullet insert sub bullet “manage lands to mature nesting habitat, where possible”
- Northern spotted owl 6th bullet insert sub bullet “Trail and maintenance activities that will occur within the SOSEA will follow the Forest Practices.
- Bald eagles 2nd bullet 2nd sub bullet delete “greater than or equal to 20 in. (51 cm) dbh.”
- Bald eagles 4th bullet delete “(i.e., severe windstorm, fire, or disease).”

X.5.2 Bald Eagle Conservation Measure

- 3rd paragraph include the National Bald Eagle Management Guidelines as an appendix

X.5.3 Northern Spotted Owl Conservation Measure

- 3rd bullet change July 15 to June 30

Appendix X-1

- Add turkey vulture, golden eagle, and merlin to table.
- Add UM, RD, and RM vegetation cover types to bald eagle and RS and RD to osprey

Next Meeting's Agenda

- Lands Update Discussion
- Review of 12/12/07 WHMP assignments
- Mink Memorandum review and discussion
- SMP Draft Categories and Allowable Uses – Review and update

Public Comment Opportunity

No public comment was provided.

Meeting adjourned at 2:30pm.

Next Scheduled Meetings

January 9, 2008	February 13, 2008
Cowlitz PUD	Merwin Hydro Facility
Longview, WA	Ariel, WA
9:00am – 3:00pm	9:00am – 3:00pm

Handouts

1. Agenda
2. Draft meeting notes from 11/14/07
3. Lewis River Yale Land Fund financial spreadsheet as of 11/31/07, **Attachment A**
4. Lewis River – Paper for December 2007 Meetings, Shoreline Management Plan, Attachment B

Lewis River License Implementation

Lewis River Yale Land Fund

Section 10.1 - 10.1.1

Funding Start Date: 4/1/05

Release Date	Funds Received	Expense	Interest	Balance	Notes
12/31/05	\$ 1,081,853.45			\$ 1,573,922.62	Contributions in 2003 dollars, adjusted for inflation Fixed prime rate nearest April 1 of each year
4/30/06					
12/31/06			\$ 90,500.56	\$ 2,746,276.63	
12/12/07			\$ 212,836.46	\$ 2,959,113.09	
Total Spent to Date:			\$ -		
Running Total:			\$ 2,959,113.09		

Terrestrial and Aquatic Coordination Committees

Paper for December 2007 Meetings

Prepared by PacifiCorp Energy

Purpose of Shoreline Management Plan

The intent of a Shoreline Management Plan (SMP) is to ensure that a Licensee's actions conform to the Project license requirements (expected) and are consistent with the purposes of protecting and enhancing the scenic, recreational, and other environmental values of the Project. Federal Energy Regulatory Commission (FERC) guidelines recommend that a Shoreline Management Plan use existing resource information to designate Shoreline Management Classifications (SMC) and guidelines for implementation. These guidelines provide a framework for determining what proposed shoreline facilities or activities are most appropriate in relation to existing shoreline uses, environmental resources, and operational requirements of a Project.

The Lewis River SMP formalizes the processes and criteria that PacifiCorp will use to manage and balance private and public use of Project lands with the natural and cultural resources and hydroelectric generation at the Projects. The SMP's primary goal is to provide support and rationale for consistent land management policies and permitting decisions, both in the short term and over the life of the Project license.

Shoreline Management Plan Goals and Objectives

The SMP will serve as a tool to assist in effectively analyzing appropriate shoreline uses within the Project boundaries, as well as provide a supportable and defensible means for shoreline management and permitting decisions.

The objectives of the Lewis River SMP are to:

- Provide a means by which PacifiCorp may manage its shoreline resources in compliance with the Settlement Agreement and its FERC licenses,
- Establish an equitable and reasonable balance between public and private uses of the shoreline,
- Protect and maintain the shoreline's natural and cultural resources,
- Establish Shoreline Management Classifications (SMC) and Allowable Uses to aid in the management of Project lands,
- Acknowledge the types and locations of existing and future recreational opportunities and enhancements,
- Describe the SMP amendment and monitoring process,
- Provide a reference and/or linkage to other Project-related studies, management plans, and permitting regulations,

- Provide support and rationale for permitting processes and regulations within the Project boundaries,
- Identify shoreline user responsibilities related to use and maintenance of shoreline uses as well as permit and other regulatory requirements,
- Alert property owners adjacent to the Project boundaries of Best Management Practices (BMP) that they may voluntarily implement on non-Project lands and which PacifiCorp may require them to implement within the Project boundaries.

Draft Shoreline Management Classifications for Project Reservoirs

1. Integrated Use

Shoreline areas with no known significant environmental/cultural resources or associated resource management goals that would preclude existing uses or would deny permitting allowable shoreline uses in the future.

2. Resource Management

Shoreline areas designated for specific resource management, species protection, and environmental purposes. Generally, shoreline areas under PacifiCorp ownership fall under the Resource Management classification. This classification is also applied to other shoreline areas to further protect areas identified by resource agencies as sensitive habitats for protected and sensitive species.

3. Project Works

Shoreline areas designated as Project works such as dams, powerhouses, and other structures as well as any areas necessary to meet operational requirements. PacifiCorp must maintain strict control over all infrastructures that are essential to Project operations and to which, due to safety, operational, or other constraints, public access may be legitimately restricted. Shoreline uses within this classification are strictly limited to those necessary for operation and maintenance of Project facilities. PacifiCorp reserves the right to assess the appropriateness of public access within this classification on a limited basis.

Draft Allowable Use Categories

PacifiCorp recognizes the following as allowable uses; **however, this does not mean that all uses listed below are appropriate for all shoreline management classifications.** Additionally specific design criteria have been developed for the following uses that are a condition of permit issuance as part of the SMP.

- Multi boat slips
- Single family docks
- Retaining walls
- Riprap and other “naturalized” shoreline stabilization measures
- Public boat ramps (including private ramps w/public access)
- Marine trestles, railways, trams, & lifts
- Moorings
- Dredging
- Log booms

- Water withdrawal
- Water elevation gaging stations
- Vegetation management
- Shoreline planting & Vegetation removal
- Pathways
- Stairways
- Walkways
- Public recreation sites
- Private picnic/event facilities
- Private beaches/common use areas
- Installation and maintenance wildlife support facilities
- $\leq 50\%$ replacement, repair, and maintenance (**in kind**) of **existing** uses and structures