

FINAL Meeting Notes
Lewis River License Implementation
Terrestrial Coordination Committee (TCC) Meeting
February 13, 2008
Ariel, WA

TCC Participants Present: (15)

Brock Applegate, WDFW (via teleconference)
 Ray Croswell, RMEF
 Kendel Emmerson, PacifiCorp Energy (via teleconference)
 David Geroux, WDFW
 Diana Gritten-MacDonald, Cowlitz PUD
 Eric Holman, WDFW
 Mike Iyall, Cowlitz Indian Tribe
 LouEllyn Jones, USFWS
 Curt Leigh, WDFW (via teleconference)
 Kimberly McCune, PacifiCorp Energy
 Bob Nelson, RMEF
 Todd Olson, PacifiCorp Energy
 Kirk Naylor, PacifiCorp Energy
 Mitch Wainwright, USDA Forest Service
 Cherie Kearney, Columbia Land Trust (9:30am – 10:30am)

Calendar:

March 12, 2008	TCC Meeting	USFWS, Lacey, WA
March 13, 2008	ACC Meeting	Merwin Hydro Facility

Assignments from February 13th Meeting:	Status
Leigh: Provide an email to Kim McCune (PacifiCorp) confirming those individuals now participating as TCC representatives on behalf of WDFW.	Complete – 2/13/08
Kearney: Email the budget details of the potential acquisition to Olson on or before 2/19/08 for TCC review prior to the conference call.	Complete – 2/21/08
McCune: Provide conference call in numbers to all TCC participants who have signed a confidentiality agreement for the land acquisition conference call on 2/26/08.	Complete – 2/13/08
Emmerson/McCune: Review NSO maps and prior TCC meeting notes during the development of the <i>Lewis River Wildlife Habitat Management Plan Standards & Guidelines Document</i> to determine logic and intent specifically relating to NSO and present to the TCC for review and discussion.	Complete - 3/12/08
McCune: Post SMP questions and comments from public meeting (2/6/08) on the Lewis River website and inform TCC when available.	Complete – 3/7/08

Assignments from January 9th Meeting:	Status
Naylor/Emmerson: Incorporate the following into the Forest Management chapter: WHMP lands that are within the SOSEA should have greater	

spotted owl protection then what is provided in Forest Practices Act and timber management actions should increase or improve spotted owl habitat in the SOSEA.	
McCune: Publish the Draft SMP on the Lewis River website and notify the TCC when available for viewing.	Complete – 1/10/08

Assignments from December 12th Meeting:	Status
Applegate: Verify the estimated effort for Broadcast Acoustical Survey for Northern Goshawks with WDFW colleges by January 9, 2008.	Complete – 2/13/08 (includes survey time only, not inclusive of travel time, etc.)
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.	Complete – 3/12/08

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

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 requested a round table introduction for the benefit of those participating via teleconference. David Geroux was introduced and will be participating as a TCC alternate on behalf of Washington Department of Fish and Wildlife (WDFW). Brock Applegate (WDFW) will continue to participate in a limited capacity and will eventually phase out as WDFW’s TCC alternate. In addition, 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.

Kimberly McCune (PacifiCorp Energy) requested Curt Leigh (WDFW) provide an email to PacifiCorp confirming those individuals now participating as TCC representatives on behalf of WDFW.

Finalize Meeting Notes

Naylor reviewed the TCC Draft 1/9/08 meeting notes and assignments with the TCC attendees and asked for any comments and/or additional changes. Applegate provided the following email in response to the assignment below:

Assignments from December 12th Meeting:	Status
Applegate: Verify the estimated effort for Broadcast Acoustical Survey for	Complete – 2/13/08 (includes survey time)

-----Original Message-----

From: Brock Applegate [<mailto:applebaa@DFW.WA.GOV>]

Sent: Tuesday, February 12, 2008 11:25 PM

Sorry to get back with you so late on the goshawk survey effort in the TCC action items. Here is Steve's response to the survey effort stated in the Raptor Chapter of the WHMP. Basically, 200 hectares can be covered in 8 people hours, significantly less effort than written in the WHMP.

See Steve Desimone's E-mail below:

"Hi Brock

Back to you here- see my comment in table X.6.1 of appendix: estimated effort (comment smd8) under goshawk Broad cast call. I have lifted and copied here in case you don't find it: You should re-calculate this; it is way too much time for only 10 ha. On five surveys I conducted on Gos in 07, I spent 24 hours and covered 69 stations for an average of 2.87 stations/hour, for a fairly experienced observer and basically no detections. That includes walking between and the calling time at each station. The area one station covered was roughly 300 meters x 300 m (about 90,000 m2, or 9 ha per station. Then 2.87 x 8 hours = 22.4 stations; then multiply by 9 ha = ~200 ha covered per 8 man hours. Again, for one experienced observer, no detections. You can use this as a basic guide.-

Steve"

Sincerely, Brock

Brock Applegate
Washington Department of Fish and Wildlife,
Habitat Program, Major Projects,
Wind and Water Energy Section,
201 N. Pearl St.
Ellensburg, WA 98926

Applegate also provided another comment not recorded in the notes. Applegate and Naylor briefly discussed the title of the table in Appendix X-1, "Vegetation Cover Types that Provide Suitable Nesting Habitat for Potentially Breeding Raptors on WHMP Lands." The table no longer contained cover types or reference to potentially breeding raptors, so Applegate thought that PacifiCorp should change the name of the table. WDFW did not approve or object to the change and direction of the table title or contents. Naylor responded that PacifiCorp had the very same discussion internally about changing the title of the table for the next version of the WHMP. The meeting notes were approved with no additional changes at 9:20am other than those submitted by WDFW via email.

Lands Update Discussion

Cherie Kearney (Columbia Land Trust), Todd Olson (PacifiCorp Energy) and Ray Croswell (RMEF) provided updates relating to interests in certain lands, however, this discussion is considered confidential and proprietary and not for public viewing.

The TCC agreed to schedule a conference call on 2/26/08 at 10:00am to discuss the land acquisition budget in more detail in accordance with the Lewis River Settlement Agreement language indicated below:

10.4 Transaction Costs. The Parties agree that certain transaction costs associated with acquisitions of Interests in Land under Sections 10.1, 10.2, and 10.3 above and habitat enhancement measures under Section 10.3 will be covered by the funds established in those Sections. Covered transaction costs include, but are not limited to, the costs associated with land acquisition, such as completion of appropriate site assessments for hazardous materials; land surveys, including timber cruise if needed; appraisals; habitat surveys; filing fees; excise taxes; title searches, reports, fees, and insurance; closing costs; preparation of land acquisition agreements; and any required governmental approvals. Transaction costs that are not covered by the funds established under Sections 10.1 through 10.3 include internal personnel and administrative costs of the parties associated with land acquisitions, such as staff salaries and benefits; attorney fees and other legal expenses incurred by PacifiCorp or any other party; and fees paid by PacifiCorp to third parties for administrative costs associated with a third party's acquisition of Interests in Land on behalf of PacifiCorp. During the execution of any transaction, PacifiCorp shall notify the TCC if it appears that transaction costs will be significantly higher than expected, and the TCC may determine not to proceed with that transaction.

Kearney will email the budget details of the potential acquisition to Olson on or before 2/19/08 for TCC review prior to the conference call. McCune will provide the conference call-in numbers to all TCC participants who have signed a confidentiality agreement.

<Break 10:30am>

<Reconvene 10:45am>

Elk Supplemental Feeding Program Discussion

McCune provided a handout titled, “*Elk Supplemental Feeding Program (brief)*” as written by Mark Smith, Mt. St. Helens Preservation Society and Bruce Barns, Mt. St. Helens Rescue (**Attachment A**). This handout had previously been submitted to the TCC for review and comment as it requests the permission and coordination to feed Elk on PacifiCorp lands. PacifiCorp received seven responses from TCC representatives, which have been included in Attachment A.

General discussion took place regarding present winter conditions, number of mortalities, WDFW feeding stations, reduction of the Mt. St. Helens herd, WDFW funds spent on feeding, reduced forage due to development on private lands and access needed for a feeding program in winter conditions.

The TCC determined that upon review and discussion of the proposal there is not a consensus to support a supplemental feeding program, therefore the request from Mt. St. Helens Preservation Society and Mt. St. Helens Rescue has been declined. In follow-up, PacifiCorp will prepare and submit a response to the entities.

SOSEA Maps

McCune provided a hand out titled, “*Vegetation Acreage on PacifiCorp-owned SOSEA land*” (**Attachment B**) and related maps. The TCC reviewed the maps at the meeting; however, copies will not be made available to the general public as they are considered privileged and confidential.

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

General discussion took place regarding making use of all opportunities to enhance spotted owl habitat, using a more conservative management approach for land within the SOSEA buffer. Eric Holman (WDFW) pointed out what was apparent from the maps that the TCC (or a glitch in the GIS mapping) concluded the 2-mile SOSEA buffer along the county line in the vicinity of the Swift No. 2 canal. The TCC discussed their recollection of not extending the SOSEA buffer across the reservoir but nobody could confirm the decision to use the county line as the cut-off. Holman pointed out WHMP lands that potentially could have been included in the buffer. For land near Swift canal, more review is needed of previous TCC meeting notes relating to the SOSEA buffer and management approach for the Northern Spotted Owl (NSO). Within the Swift 2 area, more of a concern may exist with future purchased lands than with presently owned. WDFW expressed a desire to include areas west of the county line into the 2-mile buffer of the SOSEA to assist spotted owls in dispersal from the SOSEA to the National Forest lands to the north. On the WHMP lands in the SOSEA, Naylor expressed that perhaps 10% of PacifiCorp-owned lands within the SOSEA is even accessible due to the steep terrain. A more aggressive NSO management approach will likely not change much due to the topography of the lands affected.

The TCC requested that PacifiCorp review NSO maps and prior TCC meeting notes during the development of the *Lewis River Wildlife Habitat Management Plan Standards & Guidelines Document* to determine logic and intent specifically relating to NSO and present to the TCC for review and discussion.

Shoreline Management Plan (SMP) Update

Olson informed the TCC attendees that PacifiCorp conducted a SMP public meeting on 2/6/08. The intent of the meeting was to gain input on the Initial Working Draft of the SMP which was previously made available to the public. The draft is available on the Lewis River website at: <http://www.pacifiCorp.com/Article/Article76278.html>. Approximately 33 attendees were present, mostly private land owners. Questions and comments were recorded at the meeting and will also be made available on the Lewis River website upon completion.

The public inquired about community docks and the process for permitting. A couple of specific cases were addressed whereby a property owners land is divided between their access to the reservoir by a small piece of PacifiCorp-owned land. These property owners requested modification of the classification from Resource to Integrated. In addition, comments were received regarding the possibility of an easement granted to a private owner to cross PacifiCorp lands for reservoir access. Olson informed the attendees at the public meeting that all comments will be considered as PacifiCorp proceeds with development of the SMP.

General discussion took place among the TCC attendees regarding:

- size of boats and impact of reservoir buffer,
- preference for community docks as opposed to less desirable individual docks,
- defining “hardship”,
- potential safety hazards relating to dead trees & created snags,

- the need for consideration of habitat first then where can docks be allowed,
- closing of certain areas seasonally,
- concerns to bull trout,
- PacifiCorp considering 6-year review periods of SMP,
- begin with more conservative approach initially,
- inclusion of 10/10 line definition in SMP,
- providing more clarity of Gifford Pinchot lands vs. privately owned lands,
- providing more clarity of consistent colors in classification headings to coincide with map classification colors,
- concern for petrol chemicals within the 1010 line and
- discouraging planting a lawn down to the shoreline.

New topics/issues

The Utilities have not received any additional information in regards to the expected FERC license issuance.

Diana Gritten- MacDonald (Cowlitz PUD) informed the TCC that the PUD is submitting permits to remove the Dry Creek culvert this summer, which involves 0.7 acres and 0.6 acres, will be re-vegetated.

Next Meeting's Agenda

- Review of 2/13/08 Meeting Notes
- Lands Update Discussion
- SOSEA historical notes; review of boundary comments
- SMP Update
- License Issuance Update
- Wetlands Discussion
- Farmland Chapter Review (?)

Public Comment Opportunity

No public comment was provided.

Meeting adjourned at 12:30pm.

Next Scheduled Meetings

March 12, 2008	April 9, 2008
USFWS	Cowlitz PUD
Lacey, WA	Longview, WA
9:00am – 3:00pm	9:00am – 3:00pm

Handouts

1. Agenda
1. Draft meeting notes from 1/9/08

2. Elk Supplemental Feeding Program (brief)” as written by Mark Smith, Mt. St. Helens Preservation Society and Bruce Barns, Mt. St. Helens Rescue, **Attachment A**
3. Vegetation Acreage on PacifiCorp-owned SOSEA land, **Attachment B**

Elk Supplemental Feeding Program (brief)

With continued failure by the WDFW to manage Wildlife Habitat in the Mount St. Helen's area, we started our own private supplemental feeding program. Designed to assist the elk herds of St. Helens to survive through the severe winter weather.

Supplemental Feeding Plan:

- 1.)** Identify Natural Elk winter habitat area where elk are known to graze for winter feed. We also estimate number of animals that will be in the area.
- 2.)** Establish relationship with private land owners in this habitat area to establish feeding station. {this area needs to be away from direct human interference, to allow animals to eat, lay down and conserve energy}
- 3.)** We identify storage for alfalfa, a barn or shed that is enclosed works best, but it can also be covered outside as long as the area is fenced.
- 4.)** Then we identify volunteers that will provide the labor for day to day feeding. We identify the feeding cycle, depending on the amount of natural feed in the area and herd numbers. {determine number of bales to be fed per day} Train volunteers on how to distribute feed. Our goal is to supplement the elk with approx. five pounds of high protein feed per animal per feeding.
- 5.)** We reach out for donations to obtain amount of alfalfa needed to support the program. We accomplish this with the help of local media.
- 6.)** After the winter weather we will review habitat area and determine enhancement activities that could increase natural forage and see that they are implemented.

During the feeding process we will count the number of animals that show up identifying cows, calves and bulls {classified by antler count spike, rag horn, mature bull} This information will be compared to WDFW's to help us determine population size and bull to cow ratio.

Our supplemental feeding program has been supported from private individuals, labor unions, sporting good stores and contractors to name a few. We have combined our efforts between the Mt. St. Helens Rescue and Mt. St. Helens Preservation Society.

We welcome your interest in the possibilities of joining in a supplemental feeding program in your area. Please contact me if you have any questions or would like further information.

Mark Smith, Mt. St. Helens Preservation Society, 360-749-4050

Bruce Barns, Mt. St. Helens Rescue,

TCC Comments

1/31/08, 9:38am Mike Iyall – Cowlitz Indian Tribe

All "animal welfare" always begins with good intentions. We need to give careful consideration before committing to this. This will take away from funds spent for habitat improvement, while increasing demands on the existing habitat. I urge caution in this matter. Additionally, this may be too late, as in many areas populations have already reduced to carrying capacity. Thanks, Mike Iyall

1/31/08, 10:18am LouEllyn Jones – USFWS

I'm not comfortable with the idea of singling out game animals for supplemental feeding when we don't know the carrying capacity of the area or effect on other species and vegetation of artificially enhancing populations beyond the land's capacity to support them. Although the Settlement Agreement does emphasize the acquisition of lands for elk, it is also pretty clear that the land should be managed for a diversity of fish and wildlife species and their habitats, not just elk. I think we should talk about this as a group at the next TCC meeting.

1/31/08, 10:38am Mitch Wainwright – USDA FS

It's difficult to see starving animals, however the WDFW is in the process, through increased hunting of antlerless animals. of trying to reduce the St. Helens elk herd to reflect reduced forage availability due to reduced timber harvest on the National Forest, and development on private land. It does no good to artificially prop up the population at a higher level when there is not the forage to support them year-round. It looks like Mother Nature is helping to manage the herd, and the animals that survive this winter will be better off next summer. Winter feeding, when summer forage is becoming limiting, is just a band-aid. In addition, artificial feeding raises concerns for spread of disease and parasites as animals are concentrated, and introduction of weeds from the hay.

1/31/08, 12:48pm Bob Nelson, RMEF

I believe we should talk about this before we respond. The concerns are:

- 1) We have not completed our mitigation effort on forage losses at Swift & Yale. These efforts should provide more natural forage.
- 2) We do not have TCC funds to use for this project so funds would come mostly from volunteers.
- 3) This is probably a 50 or 100 year event (this much long lasting snow).
- 4) What will be the public reaction to the dead elk?

I understand the arguments against feeding but think we may have an exception here. .

Bob

Elk Supplemental Feeding Program (brief)

2/1/08, 1:26pm Clifford Casseseka, Yakama Nation

Feeding programs for one species of wildlife is not right, it upsets the ecosystem balance. Human ways to try and help wildlife is only adding more problems. What needs to happen is that less development in the forest areas and better forest harvest planning. (No clear cutting)
Yakama Nation will not agree to welfare feeding of elk.

2/4/08, 11:48am, John Clapp, Citizens At-large

I would not oppose the feeding program, but it must be stressed that it is only a stop gap measure. The weather this year is a return to what the weather pattern was for the winters when I was first here. This problem makes it very clear what we deal with when we lose winter range for these animal to development. As development continues, and if the weather patterns are indeed shifting due to overall world changes, the only long term solution is diminishing the herds, and lowering the numbers to a sustainable amount. It is very clear that Einstein's theory of altering the universe by moving a pebble is valid.

john

2/4/08, 3:03pm, Curt Leigh, WDFW

Kim;

Subject: Third Party Winter Elk Feeding on PacifiCorp Lands.

WDFW does not endorse 3rd party feeding of elk. A variety of negative impacts to wildlife and their habitats may result from artificial elk feeding. These impacts include: Increased likelihood of disease transmission among individual animals; Population increase to a level that exceeds carrying capacity for the available habitat; Unnatural concentration of elk on or near feeding locations; Degradation of habitats in the vicinity of feeding sites; Habituation of elk to humans during feeding operations; Development of a reliance on supplemental feeding programs by elk; Disruption of natural, ecological cycles of elk populations and habitat conditions; Unnatural concentrations of elk at lower elevations where they may be a nuisance or hazard to people or traffic and increase damage to agricultural enterprises; Detrimental changes in social norms and values related to elk and other wildlife i.e. elk come to be viewed as livestock or even pets rather than wildlife.

WDFW recognizes the importance of winter habitat for elk in the watershed of the North Fork Lewis River. The critical nature of this habitat was central to WDFW's efforts in the negotiation of the Settlement Agreement with PacifiCorp regarding the re-licensing of the hydroelectric facilities on the River. As part of the existing Merwin License, PacifiCorp manages thousands of acres of relatively low-elevation habitat surrounding Merwin reservoir in a condition that

is favorable to wintering elk. Some features of these management efforts include maintenance of early-successional forest habitats rich in food resources, maintenance of agricultural areas and power-line easements in a manner that provides abundant food resources, and closure of roads to motorized access for the provision of security. Additionally, the Settlement Agreement provides funds for the acquisition and management of additional lands in the watershed. The importance of these efforts and the need for large amounts of quality habitat is brought to light by severe winter conditions such as those of 2007-08.

WDFW completed the Mt. St. Helens Elk Herd Plan in November of 2006. A central feature of the Plan is a scheduled reduction of the herd from approximately 13,000 individuals to 10,000. This reduction will be undertaken in response to a long-term loss of habitat within the geographic area encompassing the St. Helens herd. The reduction in herd size will be facilitated by an increase in antlerless elk hunting opportunity throughout the herd area. Reduction of the herd was initiated in 2007 with a significant increase in antlerless tags. Balancing the population with the available habitat and food resources is WDFW's goal. Initiation of winter-feeding in the watershed of the North Fork Lewis River is inconsistent with this objective.

Vegetation Acreage on PacifiCorp-owned SOSEA lands

Vegetation Type	Acres	Vegetation Type (Abbreviation)
DEVELOPED	35.99	DV
LACUSTRINE UNCONSOLIDATED BOTTOM	0.72	LUB
LODGE POLE PINE	0.44	LP
MATURE CONIFER	39.91	M
MID-SUCCESSIONAL CONIFER	135.24	MS
OLD GROWTH	30.40	OG
PALUSTRINE SCRUB-SHRUB WETLAND	0.24	PSS
POLE CONIFER	14.34	P
RIGHT-OF-WAY	1.00	ROW
RIPARIAN DECIDUOUS	0.06	RD
RIPARIAN MIXED	0.01	RM
RIPARIAN SHRUB	1.20	RS
RIVERINE UNCONSOLIDATED BOTTOM	1.17	RUB
RIVERINE UNCONSOLIDATED SHORE	1.53	RUS
ROCK OUTCROP	0.68	RO
SEEDLING / SAPLING	0.00	SS
SHRUB	0.78	SH
SPARSELY VEGETATED	0.87	SV
UPLAND DECIDUOUS	285.00	UD
UPLAND MIXED	94.74	UM
YOUNG UPLAND DECIDUOUS	0.01	YUD
TOTAL	644.34	