

FINAL Meeting Notes
Lewis River License Implementation
Terrestrial Coordination Committee (TCC) Meeting
March 11, 2009
Ariel, WA

TCC Participants Present: (10)

Kendel Emmerson, PacifiCorp Energy
 David Geroux, WDFW
 Diana Gritten-MacDonald, Cowlitz PUD
 Eric Holman, WDFW
 LouEllyn Jones, USFWS (via conference call)
 Kimberly McCune, PacifiCorp Energy
 Kirk Naylor, PacifiCorp Energy
 Bob Nelson, RMEF
 Nathan Reynolds, Cowlitz Indian Tribe (via conference call)
 Bill Richardson, RMEF

Calendar:

April 8, 2009	TCC Meeting	Merwin Hydro Facility
April 9, 2009	ACC Meeting	Merwin Hydro Facility

Assignments from March 11, 2009 Meeting:	Status
Naylor: Email maps to Jones, Leigh and Reynolds depicting a new parcel of interest for potential purchase.	Complete – 3/16/09
McCune: Submit an electronic version of the <i>Lewis River WHMP Annual Progress Report Operation Phase 2008</i> to the TCC following by hard copies for the 30-day review and comment period.	Complete – 3/19/09

Assignments from February 11, 2009 Meeting:	Status
Moore: Email an invitation to the TCC to participate in field work specific to the dispersed site monitoring methodology during approximately late March 2009.	Complete – 3/11/09 (tentative date is 4/7/09)

Assignments from January 14, 2009 Meeting:	Status
McCune: Distribute Columbia Land Trust media release to the TCC.	Complete – 1/14/09
McCune: Provide Cherie Kearney, Columbia Land Trust contact information to David Geroux, WDFW.	Complete – 1/14/09
Naylor/Emmerson: Provide pictures of the high flow damage at the February TCC meeting.	Complete – 2/11/09
Moore: Add the time of year and species in the survey protocol section of the Lewis River Dispersed Campsites Program - Dispersed Site Monitoring Methodology document and mention the size of the drift wood potential and the number of pieces.	

Parking lot items from February 10, 2006 Meeting:	Status
PacifiCorp Wildlife Habitat Management Plan (WHMP) Budget (annual)	Complete – 3/11/09
Conservation Agreement – what is wanted?	Ongoing – 4/28/06

Review of Agenda and Finalize Meeting Notes

Kirk Naylor (PacifiCorp Energy) called the meeting to order at 9:05am. Naylor asked if the TCC attendees had any other additions to the agenda. Diana Gritten-MacDonald (Cowlitz PUD) requested the addition of a quick comment about SA 1.2 Limitations language.

David Geroux (WDFW) informed the TCC that due to budget cuts his position with WDFW has been eliminated due to significant decrease in the budget. Curt Leigh will have involvement with the TCC yet likely limited involvement as Leigh will be taking on added responsibilities due to the budget shortfall. Geroux may be in attendance at the April TCC meeting but no likely thereafter. Geroux will continue to keep the TCC informed as adjustments are made at WDFW in the weeks to come.

Eric Holman (WDFW) does not anticipate change with his position at this time; however it's early in the process.

Nathan Reynolds (Cowlitz Indian Tribe) joined

Naylor reviewed the TCC Draft February 11, 2009 meeting notes and asked for any comments and/or additional changes. The TCC meeting notes were approved without changes 9:15am.

License Update

Olson informed the TCC that the Federal Regulatory Energy Commission (FERC) is reviewing the Wildlife Habitat Management Plan (WHMP); however no word has been received from the FERC yet as to when to expect approval.

Settlement Agreement SA 1.2 - Limitations

Gritten-MacDonald read the Lewis River Settlement Agreement provision (indicated below) specific to the implementation of the Cowlitz PUD WHMP:

1.2 Limitations. This Agreement establishes no principle or precedent with respect to projects or matters not covered by this Agreement, or with regard to any Party's participation in any other pending or future licensing proceeding. Further, no Party to this Agreement shall be deemed to have approved, accepted, agreed to, or otherwise consented to any operation, management, valuation, or other principle underlying any of the matters covered by this Agreement, except as expressly provided in this Agreement. Without affecting the enforceability of this Agreement, by entering into this Agreement, no Party shall be deemed to have made any admission or waived any contention of fact or law that it did make or could have made in the Relicensing Proceeding. This Agreement shall not be offered as evidence or cited as precedent except in a proceeding to establish the existence of or to enforce or implement this Agreement including filing this

Agreement with the Commission under 18 C.F.R. § 385.602. This Section 1.2 shall survive any termination of this Agreement.

Lands update

Naylor provided updates of interest in certain lands, however, this discussion is considered confidential and proprietary and not for public viewing. Detailed discussion took place regarding one specific parcel of land the TCC may be interested in pursuing further. Naylor will email the maps to Curt Leigh (WDFW), LouEllyn Jones (USFWS) and Nathan Reynolds (Cowlitz Indian Tribe) which depicts the specific location of that certain parcel.

In response to the TCC's inquiry about the status of the PacifiCorp/Columbia Land Trust agreement concerning interests in certain lands, Kimberly McCune (PacifiCorp Energy) informed all those in attendance that the agreement has been signed by both parties. In addition, she informed the TCC attendees that in accordance with *SA 10.2.1 - Swift No. 1 and Swift No. 2 Land Acquisition and Habitat Protection Fund*, PacifiCorp will satisfy the funding requirements on March 26, 2009.

Buncombe Hollow Road Repair Update

Naylor informed the TCC attendees that he met with Clark County Public Works Department (County) and the road is officially closed. Debris has been cleared at the west end; a portion of the road is drivable but potentially unstable. The County is not addressing culvert maintenance/repair at this time; however the County will be stabilizing the road slide areas as soon as final engineering plans are complete. The County will also be discussing timing of road repairs with the WDFW in regards to the eagle nest in the vicinity. PacifiCorp will assist with vegetation selection and placement. Anticipate that work would not be completed any earlier than the end of August.

<Break 10:20am>

<Reconvene 10:30am>

PacifiCorp Wildlife Habitat Management Plan (WHMP) Annual Plan Operation Phase 2009 Discussion

Naylor informed the TCC attendees that PacifiCorp's WHMP 2009 Annual Plan was provided electronically on February 24, 2009 and hard copies were mailed to those who requested one. Comments are due from the TCC on or before March 24, 2009.

Kendel Emmerson (PacifiCorp Energy) began the review of the WHMP Annual Plan and requested any comments and/or edits to **Section 1.0 – Introduction**. McCune indicated that the dates referenced in the third paragraph should be changed to February 24, 2009 and March 24, 2009.

No comments/edits in Sections 2 through 12.

Section 13.0 – Forestland Habitat Management, Geroux requested clarification on which unit was harvested in 2008. Naylor confirmed that the harvest took place in Unit 26. Geroux also inquired if there is opportunity to harvest in other units to minimize harvesting in Unit 17. Naylor

said that there is virtually no elk forage currently available in Unit 17. Discussion also took place regarding a name for the unnamed meadow. Emmerson said that it will likely be named Winter Creek meadow following the completion of initial meadow inspections.

General discussion took place regarding Appendix D and the proposed road alignment in Unit 17 and meadow expansion. A suggestion was made to consider building the proposed road along the same alignments of the existing 1740 road and the equestrian trail to avoid removing mature conifer forest habitat. The equestrian trail was used for the road alignment where possible, but the existing road along the Speelyai Canal (road 1710) has a highly eroded edge and is too undercut to support log trucks. There are several areas in Unit 17 that need vegetation cover type corrections and will be updated as part of the proposed harvest, but overall the proposed road alignment removes very few trees. The proposed road is almost entirely within Mid-successional conifer forest – not mature forest. The proposed road alignment, timber harvest areas, and meadows will be evaluated with TCC following the next meeting.

No comments/edits in Sections 14 through 17.

Eric Holman (WDFW) inquired about the status of PacifiCorp's WHMP 2008 Annual Report. Emmerson informed the TCC attendees that the Lewis River WHMP Annual Progress Report Operation Phase 2008 is complete and will be included with the ACC/TCC 2008 Annual Report as Appendix C, which will likely be available for the 30-day review and comment period in late March. WDFW requested a hard copy of the WHMP 2008 Annual Report now, if possible. McCune will submit an electronic version to the TCC followed by hard copies next week for the 30-day review and comment period separately from the ACC/TCC 2008 Annual Report.

Trespass Issues

Naylor provided two maps illustrating encroachment and trespass issues PacifiCorp is experiencing with private land owners. One trespass issue involves a certain property owner who cut down mature alders on PacifiCorp property. Naylor and PacifiCorp's property department have had discussions with the property owner and there is an insurance settlement. Naylor proposed restoring the area by removing the stumps deposited onto PacifiCorp land and replanting with shade tolerant trees. PacifiCorp will follow all the same criteria as the WHMP when they re-vegetate the disturbed area. All costs of reclamation will not involve WHMP funds.

Naylor informed the TCC attendees that the Unit 4 Encroachment includes the discovery of a new satellite dish, stacked firewood, cleared understory, fiberglass boats and considerable debris on PacifiCorp lands. PacifiCorp has sent letters to the property owner informing them of the encroachment. In addition, surveyors have reposted the line. Property owner has not been cooperative.

New Topics/Issues

A site visit has been tentatively scheduled with the TCC to view dispersed sites on Tuesday, April 7, 2009.

Next Meeting's Agenda

- Review of 3/11/09 Meeting Notes
- TCC 2009 Meeting Schedule Revisions
- PacifiCorp WHMP 2009 Annual Plan Review & Discussion
- License Update
- Lands Update
- Site Visit to Unit 17

Public Comment Opportunity

No public comment was provided.

Next Scheduled Meetings

April 8, 2009	May 13, 2009
Merwin Hydro Control Center	Merwin Hydro Control Center
Ariel, WA	Ariel, WA
9:00am – 3:00pm	9:00am – 3:00pm

Meeting adjourned at 11:40am

Handouts

1. Agenda
2. Draft meeting notes from 2/11/09