



NORTH UMPQUA HYDROELECTRIC PROJECT

FERC 1927-008



Protection, Mitigation, and
Enhancement Measures

2004
Annual Report
2005



POWER

pow•er (pou'ər) n.

The ability or capacity to perform or act effectively.

Last summer, hundreds of Chinook salmon journeyed up the North Umpqua River seeking their traditional spawning ground near Soda Springs Dam. They found over 10,000 square feet of new spawning habitat, designed by highly regarded scientists and engineers who share the same traits that drive the salmon back every year... resolve, determination to achieve their goals, and adaptability...improvising when options are uncertain.

Pow•er describes this past year's collaborative implementation process of the North Umpqua Hydroelectric License (FERC 1927). We have witnessed innovative results from the efforts of dedicated individuals uniting to perform effectively. The Resource Coordination Committee will meet future challenges by joining private interests with public values while navigating through a dynamic landscape of changing nature and technology. PacifiCorp believes that as we enter this new territory of license implementation, the public will witness substantial watershed improvements with low-cost reliable power.



 **PACIFICORP**
PACIFIC POWER UTAH POWER

Photo Credit: Dan Callahan



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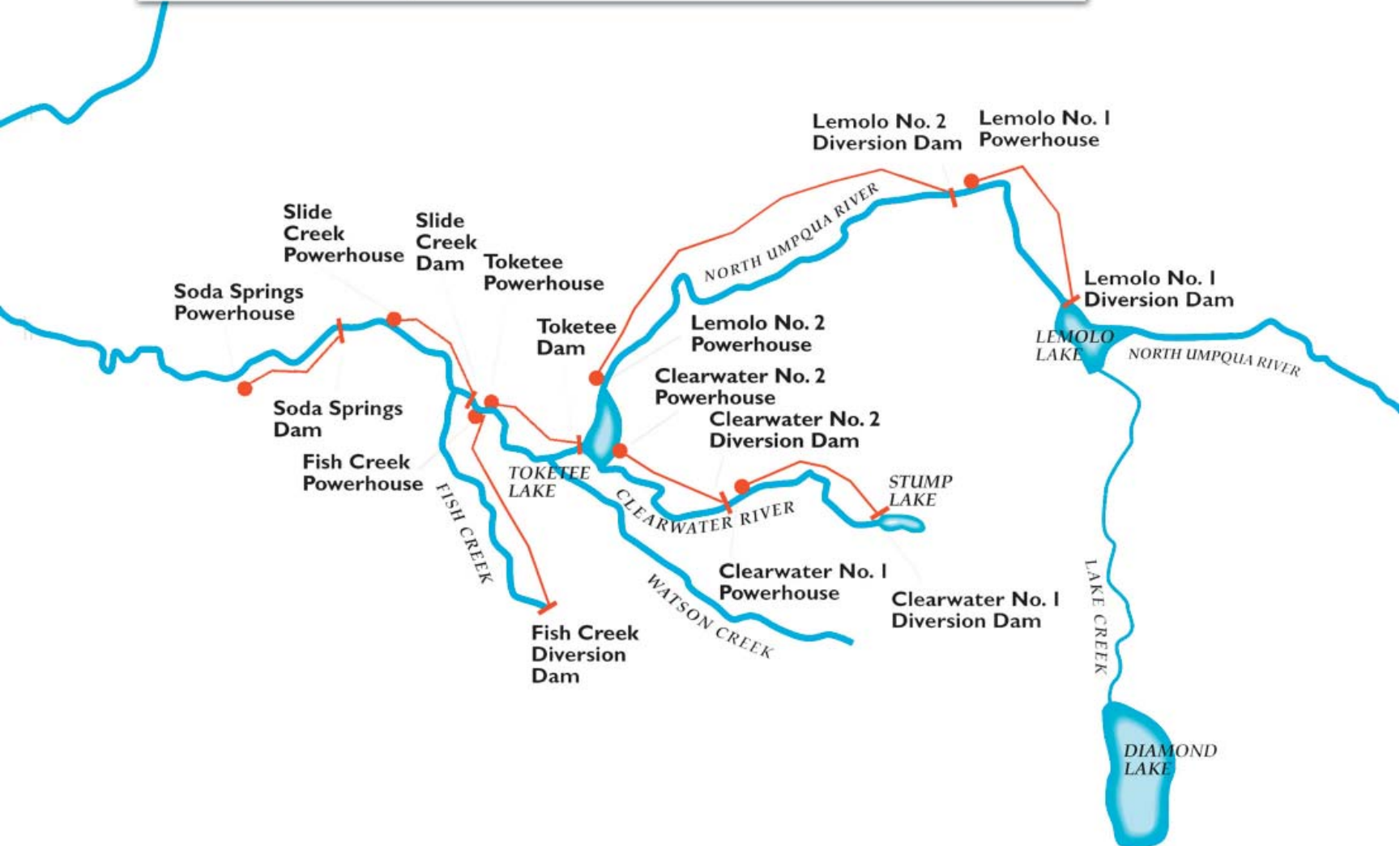
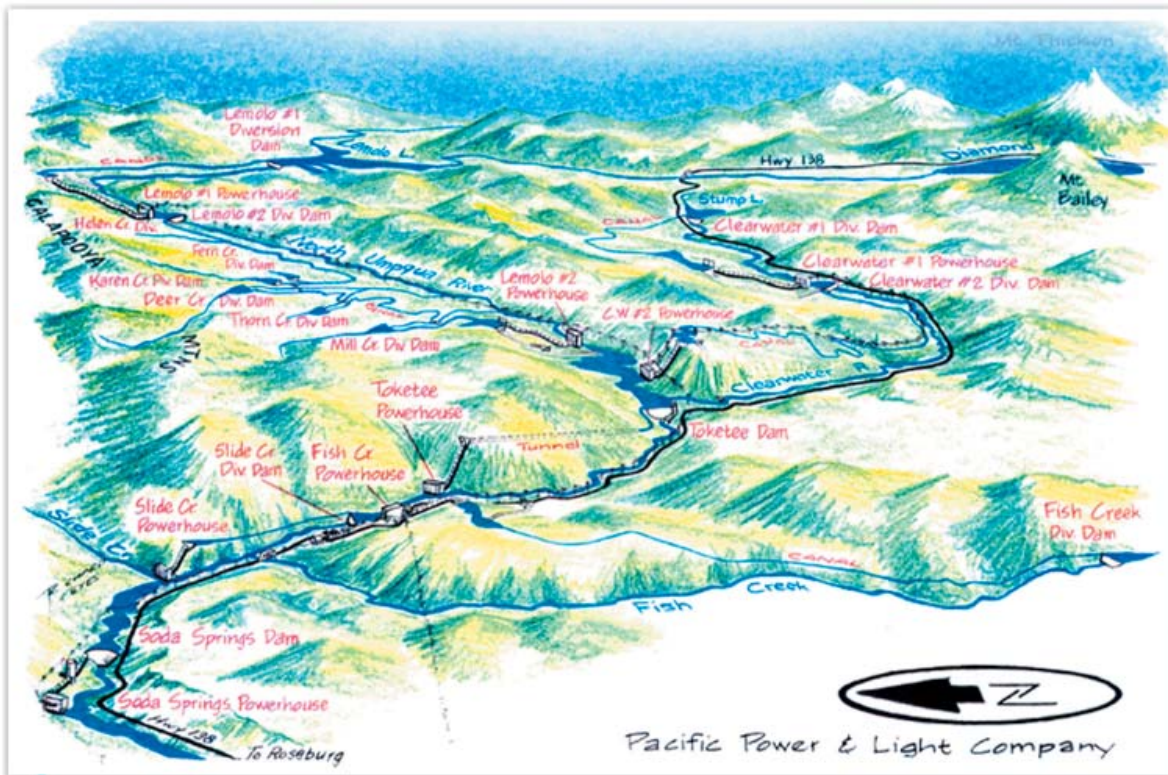
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Executive Summary

PacifiCorp is implementing Protection, Mitigation, and Enhancement (PM&E) measures on the North Umpqua Hydroelectric Project. These activities meet the terms of the 2001 Settlement Agreement and the Federal Energy Regulation Commission (FERC) license (FERC 1927) issued in 2003. This annual report documents PacifiCorp's project and fiduciary activities from June 2004 through June 2005.

Representatives from the four federal and three state agencies that signed the Settlement Agreement, in addition to PacifiCorp, function as the Resource Coordination Committee (RCC), which facilitates activities associated with the Settlement Agreement. During the reporting period, the RCC met nine times, either in person or via conference call, with regular public participation. In October 2004, the RCC provided a project overview at a public open house.

Settlement Agreement activities consist of Early Implementation Projects (EIPs), Date Certain Projects, or Final License-Dependent Projects. Each year, the RCC selects the EIPs from the Settlement Agreement list, until the license is final. Date Certain Projects are implemented in a specific year regardless of when the license is determined final. Final License-Dependent Projects will be implemented when all judicial and administrative appeals are completed. A motion concerning specific elements of the FERC license is currently at the 9th Circuit Court of Appeals; therefore, EIPs and Date Certain Projects are being implemented, and Final-License Dependent Projects are not.

In 2004, the RCC selected 10 EIPs, which include Potter Creek Restoration final design, high-priority erosion control projects, aquatic connectivity improvements, noxious weed controls, and wildlife bridge installations. All but two of these actions are complete, and those two are scheduled for completion in 2005.

Date Certain Projects consist of over 40 projects or programs. The key resource-beneficial projects completed are North Umpqua Habitat Restoration/Creation Project (SA 8.3), gravel augmentation (SA 7.2), upgrades at 19 gage stations (SA 5.5), Soda Springs Powerhouse Bypass valve upgrades (SA 6.8), and the installation of nine wildlife underpasses and overpasses, which were completed a year ahead of schedule.

The bypass valve upgrades required a complex communication system to ensure that ramping rates in the Wild and Scenic Reach are met during unforeseen emergency shutdowns. Such an event occurred on July 11, 2004. The North Umpqua River experienced a sudden drop in flow because of an unanticipated plant shutdown and a bypass valve system failure. The flow was restored in just over an hour. PacifiCorp and the resource agencies quickly convened a scientific team to assess impacts to aquatic resources. The process resulted in a resource-



The term of this reporting is June 2004 through June 2005, determined by the anniversary date of the Settlement Agreement, signed on June 13, 2001.

based mitigation agreement among the signatory Parties. Mitigation consisted of higher flows in the Soda Springs Bypass Reach to increase the value of newly installed spawning and rearing habitat, required in Settlement Agreement Section 8.3.

In 2005, the EIP program continues with a focus on high-resource beneficial projects, such as erosion control, road decommissioning, noxious weed controls, and wildlife bridges. Date Certain Projects and programs will increase to more than 50 separate activities. Key construction actions are the Potter Creek Restoration, the Clearwater River Reconnection, and the installation of seven bypass facility improvements to meet new minimum flow requirements.

The RCC will continue to meet on a regular basis to oversee these actions. The RCC also will develop a Resource Coordination Plan to enable efficient facilitation of such activities and consider all resource needs throughout the license term.



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SECTION 1.0

Introduction

Located on the west side of the Cascades mountain range in southern Oregon, the North Umpqua Hydroelectric Project consists of eight dams that, together, have the capacity to generate about 185 megawatts of power. The project was constructed between 1950 and 1956.

In the early 1990s, as the expiration of the first FERC license approached, PacifiCorp initiated the relicensing application preparation process. In June 2001, the relicensing process culminated in the development and signing of the North Umpqua Hydroelectric Project Settlement Agreement (Settlement Agreement, or SA). The Settlement Agreement identified annual reporting requirements that range from fiduciary reporting to narrative description of actions. The report period for this document is from June 13, 2004 through June 12, 2005, per Section 21.4.2, and it contains the Settlement Agreement reporting requirements, as described below:

- Section 7.2.3 (amended). Gravel Augmentation Program Funding and Accounting: Written annual report describing the amounts deposited and disbursed for projects pursuant to Section 7.2.
- Section 8.3.5 (amended). North Umpqua River Habitat Restoration/Creation Project Funding and Accounting: Written annual report describing the amounts deposited and disbursed for projects pursuant to Section 8.3.
- Section 19.1.1.3. Tributary Enhancement Account Reporting: Written annual report describing the amounts deposited and disbursed from the Enhancement Account.
- Section 19.3.1. Mitigation Fund Annual Reporting: Written annual report describing the amounts deposited and disbursed from the fund.
- Section 19.5.2. Early Implementation Fund Annual Report: Written annual report describing the amounts of payments deposited into and disbursed from the Early Implementation Fund.
- Section 21.4.2. Environmental Coordinator Reports: An annual report on the activities of the RCC and on the implementation of the PM&E measures.

This Annual Report fulfills these six requirements for the report period of June 2004 to June 2005.

I.1 Background

On June 13, 2001, PacifiCorp filed a Settlement Agreement pursuant to FERC Rule 602, 18 Code of Federal Regulations § 385.602, to resolve issues concerning the



PacifiCorp began relicensing in 1990. In 2001, PacifiCorp signed a Settlement Agreement with seven state and federal agencies, and the Governor established the PM&E measures for a new license. In 2003, FERC issued a new 35-year license.

relicensing of the North Umpqua Hydroelectric Project (P-1927-008). Parties to the Settlement Agreement include PacifiCorp, the USDA Forest Service (USDA-FS), the USDI Fish and Wildlife Service (USFWS), the USDI Bureau of Land Management (BLM), the National Marine Fisheries Service (NMFS), the Oregon Department of Environmental Quality (ODEQ), the Oregon Department of Fish and Wildlife (ODFW), and the Oregon Water Resources Department (OWRD), referred to collectively as the “Parties.”

As required by statute, FERC conducted a National Environmental Policy Act (NEPA) process that concluded with a Final Environmental Impact Statement (FEIS) issued in March 2003. Based on the findings of the FEIS, FERC developed articles for a new license for the North Umpqua Hydroelectric Project. FERC formally issued the new license on November 18, 2003, designating a term of 35 years.

Under the provisions of the Settlement Agreement, the license is not *final* until all administrative and judicial appeals are exhausted. FERC statutes allow 30 days after the issuance of the license for interested Parties to file motions to be heard before FERC on the merits of the new license.

Earthjustice appealed the licensing decision to the 9th U.S. Circuit Court of Appeals on May 21, 2004. Since then, briefings have been filed with the 9th Circuit Court as standard process. At this time, interested Parties are awaiting the 9th Circuit Court ruling or a request for additional documents. Therefore, the schedule for receiving a final license is uncertain.


Copies of the Settlement Agreement and the FERC license are available from FERC upon request or on the PacifiCorp Web site at <http://www.pacificorp.com/Article/Article983.html>.

1.2 Resource Coordination Committee

Section 21 of the Settlement Agreement establishes a process to facilitate coordination and decision-making concerning implementation of Settlement Agreement measures. To accomplish this objective, Section 21.1 of the Settlement Agreement provides for the creation of the RCC consisting of representatives from the signing Parties. The purposes of the RCC, discussed in detail in Section 2, are to (1) facilitate coordination and consultation on plans developed by PacifiCorp for the implementation of PM&E measures; (2) coordinate the implementation of PM&E measures and ongoing monitoring requirements by PacifiCorp; (3) establish appropriate procedures for conducting activities; and (4) establish subcommittees to accomplish these objectives.

1.3 Report Organization and Review

The 2004-2005 North Umpqua Hydroelectric Project Annual Report provides the following information:



The license is being legally challenged in the 9th Circuit Court of Appeals. This appeal results in the FERC license not being considered final under Settlement Agreement terms. The motion concerns USDA-FS' recommendation of fish passage in lieu of dam removal and Forest Service policy changes.



The RCC facilitates and coordinates the implementation of PM&E measures consistent with the Settlement Agreement.

- Resource Coordination Committee Overview (Section 2.0)
 - 2.1 RCC Roles and Responsibilities
 - 2.2 RCC Members
 - 2.3 RCC Meetings
- Protection, Mitigation, and Enhancement Measures (Section 3.0)
 - 3.1 Settlement Agreement Amendments
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 - 3.6 Summary of Fund Payments
- Conclusion (Section 4.0)
- Appendixes:
 - Appendix A: Resource Coordination Committee Members List
 - Appendix B: Resource Coordination Committee Ground Rules
 - Appendix C: Approved Resource Coordination Committee Meeting Summaries
 - Appendix D: 2004 Early Implementation Project Photos
 - Appendix E: Detailed Accounting

This annual report was developed by PacifiCorp and underwent a 30-day review and comment period by the RCC members listed in Appendix A. Comments were received by ODEQ, USDA-FS, BLM, NMFS, and ODFW. Comments from these agencies were incorporated either directly or by reference into the final document.



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SECTION 2.0

Resource Coordination Committee Overview

This section provides an overview of RCC roles and responsibilities according to the Settlement Agreement and as subsequently implemented. It also presents a summary of RCC meetings held during the 2004-2005 report period, including a list of public comments received and major discussion points, decisions, and action items associated with each meeting.

2.1 RCC Roles and Responsibilities

The purpose and role of the RCC, as defined in Section 21.1 of the Settlement Agreement, is to facilitate coordination and implementation of PM&E measures. The RCC also looks at implementation requirements, and through collaboration and sharing of information, works to achieve desired results. Specifically excluded from RCC responsibility and authority is the administration of the Tributary Enhancement Program and Mitigation Fund set forth in Section 19 of the Settlement Agreement. However, responsible Parties may consult with the RCC concerning measures conducted pursuant to this program and fund.

The structure and process of the RCC is intended to provide a forum to address time-sensitive matters, give early warning of problems, and coordinate member organization actions, schedules, and decisions to save time and expense. As described in the Settlement Agreement, the RCC must endeavor to conduct its business by consensus; however, in the event of disagreements, the Parties may refer disagreements to appropriate policy-level decision-makers. Decisions of the RCC may not usurp the authority of individual Parties or specific governmental agencies identified in the Settlement Agreement as having approval authority regarding specific PM&E measures.

The RCC is responsible for the following measures, pursuant to the Settlement Agreement:

- Prioritize EIPs (SA 19.5.1).
- Facilitate coordination of the implementation of the Resource Coordination Plan (RCP), including ongoing operations and maintenance (SA 21.1). As the RCP will not be finalized until 2005, this role will gain greater significance in future years.
- Coordinate and monitor implementation of PM&E measures (SA 21.1), and coordinate ongoing monitoring requirements by PacifiCorp (SA 21.1).



The RCC provides a forum to address time-sensitive matters and to identify problems early. This helps to ensure the maximum value of environmental enhancements.



The RCC conducts business by consensus and the public is invited to participate.



The autonomous RCC serves as
a common point of contact for
public questions.

- Coordinate responses and evaluations specifically assigned to the RCC in the Settlement Agreement (SA 8.2.2, 8.3.3, 12.2, 14.3.3, 14.5, 17.8, 19.2.1, 22.5.2, SA Amendment 7.2).
- Facilitate coordination and consultation on plans developed by PacifiCorp (SA 21.1).
- Review and comment on the draft annual report of RCC activities and implementation of the PM&E measures (SA 21.4.2).
- Serve as a common point of contact for public information regarding Settlement Agreement implementation (SA 19.5.3).

The following measures are specifically excluded from RCC responsibility:

- Administration of Tributary Enhancement Program through ODFW's Memorandum of Understanding (SA 21.1).
- Administration of the Mitigation Fund through the USDA-FS (SA 21.1).
- Approval of plans and actions regarding specific PM&E measures assigned to individual organizations for resource protection in the Settlement Agreement (SA 21.2).

The RCC defined discrete goals and functional responsibilities to enhance its effectiveness:

- Interpret the Settlement Agreement: Apply provisions to on-the-ground planning and implementation.
- Monitor implementation of the Settlement Agreement as a whole to provide a wider view than one agency's perspective.
- Avoid surprises and errors through effective communication.
- Track progress: Serve as the interface for the Parties to the Settlement Agreement as implementation takes place.
- Identify policy issues: As policy issues arise, work collectively to define and clarify the issues and options for transmittal to the executive members of the Parties.
- Provide public information: Serve as a point of information regarding Settlement Agreement implementation with a collective voice (SA 19.5.3).
- Promote efficiency: Share information among organizations; communicate changes in policy, procedure, or regulation; consult before decision-making; and share technical resources.

- Implement the Settlement Agreement collectively to ensure that all Parties' interests continue to be valued throughout the new license term.
- Effectively communicate its progress through the development of a Web site at <http://www.pacificorp.com/Article/Article983.html>.

2.2 RCC Members

The Parties have each appointed a member and an alternate to the RCC. The members are shown in Table 2.2-1. The RCC members work with a designated caucus within their respective organizations. Appendix A lists the members, including alternates and caucus members.

TABLE 2.2-1
Resource Coordination Committee Members

RCC Member	Organization
John Sloan	USDA Forest Service, Umpqua National Forest, Roseburg, Oregon
Craig Tuss	USDI Fish and Wildlife Service, Roseburg, Oregon
Bill O'Sullivan	USDI Bureau of Land Management, Roseburg District, Roseburg, Oregon
Stephanie Burchfield	National Marine Fisheries Service, Portland, Oregon
Dave Harris	Oregon Department of Fish and Wildlife, Roseburg, Oregon
Dennis Belsky	Oregon Department of Environmental Quality, Medford, Oregon
Craig Kohanek	Oregon Department of Water Resources, Salem, Oregon
Diane Barr	PacifiCorp, Medford, Oregon



Each RCC member works with a designated caucus within their respective organization.

2.3 RCC Meetings

During the 2004-2005 reporting period, the RCC met four times in person and conducted business via conference call five times, for a total of nine RCC meetings. The purposes of the meetings were to finalize study plans, discuss implementation objectives for PM&E measures, and facilitate the overall Settlement Agreement implementation. The formal ground rules established and adopted by the RCC (amended in June 2005) provided the functional framework for this collaborative work. Ground rules are provided in Appendix B.

2.3.1 Meetings and Conference Calls: Overview

This section summarizes the issues covered and areas of consensus reached during RCC meetings and conference calls over the 12-month report period. Extended meeting summaries are provided in Appendix C.

Meetings are open to the public for comment, and any comments received are added to the meeting summaries.

***RCC Conference Call #1
July 9, 2004***

- Approve budget elements for Mainstem Habitat Creation Project, Section 8.3.
- Approve budget elements for Gravel Augmentation Program/Pulse Experiment, Section 7.2.

***RCC Meeting #1
August 12, 2004***

- Review public notice procedure and discuss public outreach.
- Discuss July flow event and procedure for future unplanned events.
- Approve Gravel Augmentation Progress Monitoring Plan, Section 7.2.
- Approve Baseline Survey Plan and Monitoring Plan, Section 8.3.
- Report on 2004 EIPs.

***RCC Conference Call #2
September 27, 2004***

- Report on Long-term Monitoring/Predator Control Fund, Section 19.2.1.
- Approve subgroup's 2004 EIP recommendation to move the Road Decommissioning Project to 2005 by consensus agreement.
- Report from 2005 Early Implementation Committee.
- Report on PacifiCorp and USDA-FS Memorandum of Understanding regarding NEPA requirements.
- Report on Executive Policy Group's September Soda Springs site tour.

***RCC Meeting #2
October 26, 2004***

- Hold public information open house.
- Report on 2004 EIPs and budget forecast.
- Approve 2005 EIPs.
- Report on Habitat Creation/Enhancement Project, Section 8.3, and increase in project cost.
- Report from technical work groups on Section 8.3 Monitoring Plan, including the Baseline Habitat Plan and the post-construction habitat survey.

RCC Conference Call #3 **November 19, 2004**

- Approve Monitoring Plan and Baseline Habitat Survey for Spawning Habitat Project, Section 8.3.
- Report on Mitigation Agreement of October 13, 2004, for the July 2004 flow event among PacifiCorp and Parties.

RCC Meeting #3 **January 26, 2005**

- Discuss Sections 7.2, 8.2, 8.3, and 19.2 aquatic project activities, high-flow events, next steps, expectations for 2005, and fund balances.
- Discuss Settlement Agreement requirement to pass “all flows” during high-flow conditions as it relates to the Clearwater Reconnection project, Section 7.5, Section 10.3, and Exhibit E. Agree that the preferred conceptual design that allows flow splitting during high flows at Clearwater 2 could meet the overall intent of the Settlement Agreement, and consider the need for amendment to codify this modification.

RCC Conference Call #4 **February 25, 2005**

- Report on Clearwater Reconnect project and proposals to ratify and record the RCC “all flows” interpretation.
- Report on final cost of 2004 EIPs.
- Approve carryover funds for the BLM noxious weed program to 2005.
- Review, discuss, and propose updates to the RCC ground rules.

RCC Conference Call #5 **April 12, 2005**

- Report on final drawings, specifications, and operations plans for the Clearwater Reconnect project.
- Agree to develop Settlement Agreement Amendment #2 related to the Clearwater Reconnect project and the existing “all flows” language for Policy Group review and approval.
- Discuss RCC ground rule updates, including the role of technical work groups.

RCC Meeting #4 **June 1, 2005**

- Give final comments on Draft Annual Report.

- Review final edits to RCC ground rules.
- Report on EIP status.
- Discuss status report on Settlement Agreement 7.2 and Settlement Agreement 8.3 projects.
- Report on 2005 EIPs and budget forecast.

2.3.2 Meeting Summaries

Meeting summaries are drafted for RCC and subcommittee meetings and conference calls. The draft meeting notes are distributed to RCC members for review and comment. At a subsequent meeting, after corrections have been made as appropriate and when work in progress is completed, the RCC approves the summaries by consensus. The summaries are then made part of the public record and posted on the PacifiCorp Web site (www.pacificorp.com). Completed and approved meeting summaries are included in Appendix C.



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SECTION 3.0

Protection, Mitigation, and Enhancement Measures

This 2004-2005 annual report presents the status of PM&E measures defined in the North Umpqua Settlement Agreement from the effective date of June 13, 2001.

PM&E measures fall into the following implementation categories:

- Early Implementation (pre-license)
- Date Certain (pre- and post-license)
- License-Dependent (post-license)

These categories are defined as:

- **Early Implementation:** These measures are selected by the RCC to be conducted before the final license is issued and funded by PacifiCorp through the Early Implementation Fund. Measures may be either Date Certain or License-Dependent.
- **Date Certain:** These measures are to be completed by a specified calendar date, regardless of when the final license is issued. Some measures were initiated coincident with the effective date of the Settlement Agreement of June 13, 2001.
- **Final License-Dependent:** These measures will be implemented after the new project license becomes final, which is defined in the Settlement Agreement as the end of all legal and administrative processes.

The activities associated with each of these three implementation categories are described in this section.

The PM&E measures schedule may be modified by the Parties under Section 22.6 of the Settlement Agreement. If necessary, the Parties may convene and modify Settlement Agreement implementation dates if all Parties are in agreement that such modifications are warranted.

In accordance with Settlement Agreement fiduciary account reporting requirements, this section also provides account information for the following Settlement Agreement actions.

- Section 7.2.3 (amended). Gravel Augmentation Program Funding and Accounting



Final License-Dependent Measures have been delayed because of legal appeal; nevertheless, implementation of other PM&E actions continues, as allowed by the Settlement Agreement.

- Section 8.3.5 (amended). North Umpqua River Habitat Restoration/Creation Project Funding and Accounting
- Section 19.1.1.3. Tributary Enhancement Account Reporting
- Section 19.3.1. Mitigation Fund Annual Reporting
- Section 19.5.2. Early Implementation Fund Annual Report
- Section 21.4.2. Environmental Coordinator Reports

3.1 Settlement Agreement Amendments

The Parties are developing a Settlement Agreement Amendment No. 2 for Section 10.3, Clearwater Reconnection. The anticipated completion of the amendment is June 2005. The original Section 10.3 of the Settlement Agreement provides that PacifiCorp shall design and construct a structure in the lower Clearwater River near Toketee Reservoir to reconnect the Clearwater River and the North Umpqua River (“the Reconnection Structure”). Section 10.3 of the Settlement Agreement also provides that the Reconnection Structure will permit a portion of the Clearwater No. 2 bypass reach flows to travel down the original Clearwater River channel, to the confluence of the North Umpqua River downstream from Toketee Dam. Section 10.3 of the Settlement Agreement states that during high-flow periods, when flows are spilling at Toketee Dam, the Reconnection Structure will permit all of the flows from the Clearwater River to be directed through the reconnected channel. Section 10.3 likewise states that the Reconnection Structure will permit the movement of fish, amphibians, and macroinvertebrates between the North Umpqua River and the upper Clearwater River. The need for an amendment centered on the two different flow requirements stated in Section 10.3: “a portion of the flow,” and “all-flows.”

The Parties determined through a collaborative design process that the resource-based objective of passing woody debris and sediment could be met without necessarily passing all the flow through the bypass reach. The Parties also recognized that if they were to remain consistent with the Settlement Agreement language by passing all flows during high-flow events, it would require a very large constructed instream facility with a lower success rate potential for fish and amphibian passage. Therefore, the Parties created an innovative design solution that met the resource objectives, but required a slight modification to the Settlement Agreement.



The Parties are developing a Settlement Agreement Amendment for Section 10.3, Clearwater Reconnection, which resulted in a design solution that better meets resource interests.

3.2 Early Implementation Program

Under Section 19.5.1 of the Settlement Agreement, PacifiCorp established an Early Implementation Fund to be used during the period before the new license becomes final. This fund is for measures that offer significant resource benefit, but would not otherwise be funded on an accelerated basis. Section 19.5.1 requires that the RCC annually identify and fund measures for early implementation as a subset of all the PM&E measures identified in the Settlement Agreement. These measures include but are not limited to the following: (1) high-priority erosion sites; (2) riparian restoration at Potter Creek; (3) enhancement of up to two wetland areas; (4) road decommissioning; (5) tributary reconnections; and (6) culvert replacement.

3.2.1 Early Implementation Projects

PacifiCorp designed and installed EIPs beginning in 2002.

The following lists actions completed since the inception of the EIP from 2002 through 2004. A detailed description of the 2004 EIPs is in section 3.2.3 of this document.

2002 EIPs

- ✓ Three Big Game Bridge Expansions, SA 11.1, Lemolo No. 2 Canal
- ✓ High-Priority Erosion Site Remediation, SA 14.4.2
 - Fish Creek: FC2, FC5, & FC7
 - Lemolo No. 2 Canal: LM2-27 Design and Construction
 - LM2-20 25 Percent Design (Potter Creek)
- ✓ Road Decommissioning, Fish Creek, SA 15.4
 - Roads: 3701-220, 221, 233, 230, and “Upper FC Canal”
- ✓ Restoring Riparian Habitats, SA 10.5. “Potter Creek Riparian Restoration (25 Percent Design)”
- ✓ Aquatic Connectivity/Tributary Connections Site Visit and Work Plan, SA 10.6
- ✓ Noxious Weed Control, SA 12.2. Inventory of BLM land

2003 EIPs

- ✓ Two Big Game Bridge Expansions, SA 11.1, Lemolo No. 2 Canal
- ✓ High-Priority Erosion Site Remediation, SA 14.4.2
 - Fish Creek: FC6
 - Lemolo No. 2 Canal: LM2-11, LM2-26, LM2-28
- ✓ Restoring Riparian Habitats, SA 10.5. “Potter Creek Riparian Restoration (50 Percent Design)”



The Early Implementation Program includes projects selected by the RCC, accelerating their implementation until the license is final.



Since 2002, EIPs have accelerated the schedules of more than 50 projects.

- ✓ Aquatic Connectivity/Tributary Connections, SA 10.6
C2, F5, F6, F7 (Design); Culverts FC 3B and 4B Replacement
Lemolo No. 2 Canal Stream Diversion Removal
- ✓ Noxious Weed Control, SA 12.2. Inventory of USDA-FS land
- ✓ Gravel Augmentation, SA 7.1, Gravel installation below Soda Springs Dam
- ✓ Impact Analysis of Pipe to Stinkhole, SA 6.1.1-Pond Turtle Survey
- ✓ Upgrading Culverts, SA 15.6. Lemolo No. 2 Canal: LM2-27 and Patricia Creek
Culvert

2004 EIP Projects

- ✓ One Wildlife Crossing Installation, SA 11.2, Lemolo No. 1 Canal
- ✓ Restoring Riparian Habitats, SA 10.5. “Potter Creek Riparian Restoration
(95 Percent Design)”
- ✓ High-Priority Erosion Site Remediation, SA 14.4.2
Fish Creek: FC1
Lemolo No. 2 Canal: LM2-16, LM2-17, Burma Road Upgrades at eight
locations
Deer Creek: DC1 (new site)
- ✓ Upgrading Culverts, SA 15.6. Lemolo No. 2 Canal: Nurse Creek, Laura Creek,
and Spotted Owl Creek
- ✓ Road Decommissioning, SA 15.6. FS 3400-077 Design

3.2.2 Establishment and Use of EIP Funds

The EIP funds distributed from 2002 to 2005, including expenses and interest, are summarized in Table 3.2.2-1. Funds are shown in more detail by project-specific expenditures for the 2004 EIPs in Table 3.2.2-2.

TABLE 3.2.2-1
Early Implementation Fund Financial Summary

2002	\$
2002 Opening Balance (Deposit)	358,187
2002 Expenditures	(291,728)
2002 Interest Earned	3,910
Total 2002 EIP Remaining Balance	70,369
2003	
2003 Opening Balance	70,369
2003 Deposit	360,923
2003 Expenditures	(358,986)
2003 Interest Earned	3,424
2002 Adjustments (BLM credit)	5,965


The RCC oversees the EIP
funds through periodic fund
reporting.

TABLE 3.2.2-1
Early Implementation Fund Financial Summary

Total 2003 EIP Remaining Balance	81,694
2004	
2004 Opening Balance	81,694
2004 Deposit	366,698
2004 Expenditures	(383,984)
2004 Interest Earned	5,491
Total 2004 Remaining Balance	69,899
2005	
2005 Opening Balance	69,899
2005 Deposit	371,832
2005 Estimated Project Cost	(483,965)
2005 Estimated Remaining Balance	\$ (\$42,234)

TABLE 3.2.2-2
2004 EIP Totals

2004 Early Implementation Project	Project Costs (\$)
Potter Creek Design	100,000
Lemolo No. 2 Sidecast Removal (Deer Creek Sidecast Stabilization)	21,139
Fish Creek I High-Priority Erosion Site	55,805
Road 3400-077 Decommissioning	3,445
Wildlife Crossing	24,285
LM2-17 (Nurse Creek)	64,392
LM2 High-Priority Erosion, Sidecast Removal	56,289
High-Priority Culvert/Aquatic Connectivity Upgrades (Laura Creek and Spotted Owl Creek Culverts)	58,629
BLM Noxious Weed Spraying	0
2004 EIP Totals	383,984

3.2.3 2004 Early Implementation Project Status

The following projects were completed under the provisions of the EIPs during the 2004-2005 report period. Additional photos of the EIPs are provided in Appendix D.

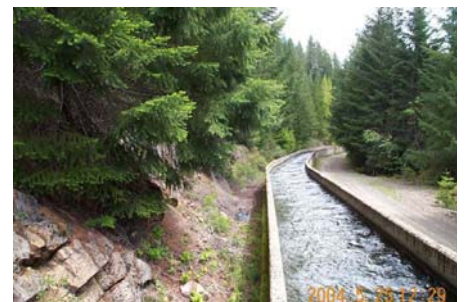
New Wildlife Crossing (SA 11.2)



The RCC selected one wildlife crossing bridge for installation along the Lemolo No. 1 Canal. PacifiCorp collaborated with the USDA-FS and ODFW staff to select the crossing location as well as design-related project elements. This crossing is one of 34 additional bridges that will be installed after the license becomes final.

Fish Creek Erosion Site #1 (SA 14.4.2)

Fish Creek erosion site #1 (FC1) was identified in the Erosion Site Assessment as a risk for continued erosion because of inner wall vulnerability to rock falls. The inner canal wall was filled with material to prevent falling rocks from striking and damaging the wall. A sink-hole that had developed as a result of natural water seepage from the slope above the canal also was repaired. This work was completed in 2004.



Lemolo Canal High-Priority Erosion Sites: LM2-17 Nurse Creek, Burma Road Upgrades and Sidecast Removal (SA 14.4.2)

Work along the Lemolo No. 2 waterway focused on installation of new culverts, road regrading and resurfacing, and bank stabilization. The LM2-17 site was experiencing poor road drainage that flowed over the outside embankment and had a deteriorated culvert that also did not meet aquatic passage needs (shotgun culvert). The road was regraded and resurfaced and the culvert replaced to current agency standards. The site will continue to be monitored annually. The Lemolo No. 2 Canal access road (Burma Road) received extensive surface improvements. This work involved excavating areas scheduled for sidecast removal, placing the material on the roadbed, and spreading material to improve drainage. Similarly, waste piles of material removed from the canal during maintenance operations were spread into the road embankment. A new surface of crushed rock was placed on the road surface. The road regrading and resurfacing includes partial completion of eight of the 25 sites on Lemolo No. 2 Canal. Additionally, three culverts were brought up to USDA-FS 100-year flow criteria. New 100-year flow culverts were installed at Nurse Creek (LM2-17), Laura Creek (LM2-18), and Spotted Owl Creek (not an identified erosion site).



Potter Creek High-Priority Erosion and Riparian Site 95 Percent Design (SA 14.4.2, 10.5, 10.4)

During the report period, this site progressed to a 95 percent design package. Several agency meetings were held to determine the objectives of the project and review conceptual designs. Field investigations to determine the location of a buried pipe and hydrologic conditions were also completed to corroborate design assumptions. The collaborative approach has yielded a design that addresses the riparian restoration, aquatic connectivity, and erosion control objectives. Construction is scheduled for summer 2005 and permits are being obtained.

Road Decommissioning (SA 15.4)

Road 3400-077, which is approximately 1.5 miles long, was scheduled for decommissioning in 2004. The road, which is in the vicinity of Lemolo No. 2 Canal, was selected as a decommissioning candidate during the Transportation Management Plan development. This road was originally constructed in part for the original canal construction and also for timber harvest by the USDA-FS and is no longer needed. A preliminary design was completed in consultation with the USDA-FS, but the construction was not completed because of unanticipated delays in determining appropriate federal agency permits and approvals. Minor funds used for this work to complete the preliminary design were charged against the 2004 EIP fund. Since the project was not completed in 2004, this road decommissioning will be done as a 2005 EIP.

Noxious Weed Controls (SA 12.2)

PacifiCorp was allocated funds for the control of noxious weeds on the BLM portion of the transmission line right-of-way. These funds (\$5,965) were originally provided to the BLM as a 2003 EIP, but were in excess of what was needed to complete the inventory, and were refunded back to the EIP program. PacifiCorp was not able to treat the noxious weeds in the narrow timeframe needed for treatment. Therefore, these funds will be used for the same project in 2005. BLM will be doing this work as a 2005 EIP.

Aquatic Connectivity Culvert Replacement (SA 10.6)


The Laura and Spotted Owl Creek culverts were replaced to provide aquatic and terrestrial species movement. These sites were selected for enhancement work because of synergistic resource benefits and cost-effectiveness, as they also needed culvert sizing upgrades. The resource effectiveness of the aquatic reconnection will be monitored over time to ensure that the finished project provides for adequate passage of aquatic and terrestrial species.



3.2.4 2005 Early Implementation Projects

The 2005 EIP program account was funded on January 31, 2005. Table 3.2.4-1 exhibits the EIP balance, project description, funding, and estimated 2005 project costs. The EIP fund was purposely over-allocated with the anticipation that the final license could be issued during 2005, marking the ending of the EIPs. If the license is not considered final by January 31, 2006, funds will again be deposited into the EIP fund for additional projects in 2006.

The following 2005 EIPs were selected by a subcommittee of the RCC. The subcommittee met in September 2004 and the RCC approved the subcommittee recommendations at the October 2004 RCC meeting. In January 2005, the BLM Noxious Weed Control Project was added to the project list as the funds went unspent in 2004. Please refer to the RCC meeting notes in Appendix C.



The RCC selected 2005 EIPs that represented priority PM&E measures that best meet the public's interest. This includes funding fishway redesign at ODFW's Rock Creek facility.

- Road Decommissioning (SA 15.4): four segments equaling over 3 miles

Three of these roads were initially built as part of original project construction and are no longer needed for ongoing operation. The remaining road (3400-077) resides above the Lemolo No. 2 Canal and beyond the FERC project boundary. It has been closed to public access for several years for resource protection needs. This road was originally a 2004 EIP but was postponed because of limited EIP funds and permitting issues.

- Noxious Weed Controls

The following two noxious weed projects were selected.

1. Funds will be spent to treat noxious weeds in the transmission line right-of-way on BLM land. This project was a 2004 EIP, but the project was not completed.
2. Funds will be spent to remove eight species of noxious weeds on 45 acres of land within the FERC Project Boundary in the Umpqua National Forest.

- High-Priority Erosion Control (SA 14.4)


Two erosion control sites (LM2-22 and CW2-8) were selected as they were identified to provide significant resource value in the Erosion Control Plan.

- High-Priority Culvert Replacements (SA 15.6)

Dorothy Creek and No Tunnel Creek culverts were selected for upgrading to meet 100-year flow requirements. These culverts are within the High-Priority Erosion Sites listed above, providing construction cost efficiency.

- Wildlife Crossings and Aquatic Connectivity Sites (SA 11.2 and 10.6)

Four new wildlife crossings were identified with the intention to select locations where they could also provide aquatic connectivity over Lemolo No. 2 Canal.



In 2005, the EIP program continues with a focus on high-resource beneficial projects such as erosion control, road decommissioning, noxious weed controls, and wildlife bridges.

Table 3.2.4-1 shows the estimated project costs. Costs will be refined throughout the year with additional scoping and detailed estimates.

TABLE 3.2.4-1
2005 EIPs

SUMMARY TOTALS	\$
2004 End of Year Balance	69,899
2005 EIP Account Funding	371,832
Total 2005 EIP Funds	441,731
2005 EIP Estimated Project Costs	483,965
Estimated EIP 2005 Remaining Balance	(42,234)

EIP 2005 Projects		
Ref #	Project Name	RCC Allocation (\$)
A List: 2005 Projects Previously Committed in 2004 (continued phases of existing projects)		
A1	Road Decommissioning-3400-077 (15.4)	118,000
A2	BLM Noxious Weed Controls	5,965
	A TOTAL	123,965
B List: 2005 New EIPs		
B1	Noxious Weed Control (12.2)	34,000
B2	Erosion Control and High-Priority Culvert (14.4, 15.6)	100,000
B3	Erosion Control and High-Priority Culvert (14.4, 15.6)	50,000
B4	Road Decommissioning (15.4 & 10.4)	11,000
B5	Wildlife Crossings (SA 11.2, 10.6)	80,000
B6	Rock Creek Fishway Design	45,000
B7	Asbestos Culverts	40,000
	B TOTAL	360,000
	TOTAL A + B	483,965

- Rock Creek Fishway Design (SA 19.1)

The RCC selected ODFW's Rock Creek facility because of its imminent need to complete design to improve passage. Completing the design as an EIP will potentially result in the fishway modifications being constructed at least a year in advance. This project otherwise would have been delayed pending a final license. PacifiCorp has provided funds for this project under Settlement Agreement 19.1 Tributary Enhancement Program, but these funds cannot be expended until the license is considered final. The RCC elected to allocate a portion of the PacifiCorp-provided EIP funds toward this project, reducing PacifiCorp 2005 fund payment obligation into the Settlement Agreement 19.1 fund commensurately.

- Stream Diversion Culvert Removal (SA 10.4)

The Mill and Thorne Creek diversions contain culverts that are wrapped with an asbestos covering. These culverts present no harm to the public or environment while in their current undisturbed state, but they do require special safe handling and disposal. The water that once flowed in these culverts was returned back to their original streams in 2001, and the Settlement Agreement requires the diversion infrastructure to also be removed. All other diversion culverts mentioned in Settlement Agreement 10.4 have been removed with prior EIP funding. This project was not completed at that time as the EIP funds allocated were insufficient to address the asbestos handling costs.

3.3 Implementation of Date Certain PM&E Measures

The Settlement Agreement identifies specific PM&E measures as Date Certain by indicating a specific date for the measure's commencement or completion. The schedule for the Date Certain PM&E measures is presented in Table 3.3-1. The status of the PM&E measures specific to the timeframe of this report is presented in Table 3.3-2.

TABLE 3.3-1
Date Certain PM&E Measure Implementation

North Umpqua Hydroelectric Project (FERC 1927-008) Settlement Agreement
Protection, Mitigation, and Enhancement Measures Date Certain Commitments
Measures to be completed irrespective of final license issuance date.

Key	
	Due Date
●	Completed
○	In Progress

SA Sect.	PM&E	YEAR											
		2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012+
4.0	FISH PASSAGE MEASURES												
4.1.1(a)	Soda Springs Fish Ladder Design												
4.1.1(d)	Ladder Operations, Maintenance, and Evaluation Program												
4.1.1(f)	Soda Springs Tailrace Barrier Design					○							
4.1.2(a)	Soda Downstream Screen Design												
4.1.2(f)	Soda Downstream Passage-Spillway Modifications Design												
4.3.1(a)	Lemolo 2 Fishway Design				○								
4.3.1(c/d)	Lemolo Operations, Maintenance, and Evaluation Program				○								
4.3.2(a)	FC Proposed Design					○							
5.0	INSTREAM FLOWS												
5.1	SS Table 1 Flows			●									
5.3	Reconsideration of Instream Flows			●									
5.5	Instream Flow Monitoring-Gage Installation		●										
5.5	Instream Flow Monitoring-Monitoring Plan		●	●									
5.7	ODFW Holding Ponds Water Supply	●	●	●	●								→
6.0	RAMPING												
6.2.1	Slide Creek Ramping Monitoring Plan												
6.4	W&S Ramping Restrictions	●	●	●	○								→
6.5	Bypass Reach Ramping Restrictions (0.2/ft/hr)	●	●	●	●	○							→
6.8	Soda Emergency Bypass Valve Design				○								
7.0	RESTORATION OF FLUVIAL PROCESSES												
7.1-2	Gravel Augmentation Below Soda	●	●	●	○								→
7.3	Passage of Woody Debris	●	●	●	○								→
7.4	Passage of Sediment (if high flows present)		○	●	○	○							→
8.0	MAIN STEM HABITAT ENHANCEMENT												
8.2	Slide Creek Alluvial Reach	○	○	○	○								
8.2.1	Study and Implementation Plan	○	○	○	○								
8.2.2	Monitoring Plan			○	●								
8.2.3	Baseline Habitat Survey		●										
8.2.4	Test Boulder Placement		●	●	○								
8.3	SS Alluvial Reach Restoration			●									
8.3.1	Feasibility Assessment			●									
8.3.2	Implementation Plan			●									
8.3.4	Baseline Habitat Survey and Monitoring Plan	○	●		○	○							
8.3.5	Funding and Accounting				○	○							→
8.3.6	Completion				●								
9.0	RESERVOIR AND FOREBAY MANAGEMENT												
9.1	Stocking of Rainbow Trout; Production Funding				○								
9.2	Rainbow Brood Stock Development				○								
9.3	Management of Lemolo Reservoir	●	●	●	○								→
9.5	Salvage of Fish During Shutdowns	●	●	●	○								→
10.0	AQUATIC RESOURCES												
10.5	Riparian Restoration-White Mule Creek				○	○							
10.5	Riparian Restoration-Potter Creek Restoration		○	○	○	○							
11.0	TERRESTRIAL RESOURCES												
11.1	Big Game Bridges (29) Widening				●								
11.4	Wildlife Underpasses (9)				○	●							
12.0	VEGETATION MANAGEMENT												
12.1	Vegetation Management Plan Dev. and Implementation		○	○	●	○							→
12.2	Noxious Weed Control	●	●	●	●	○							→

TABLE 3.3-1

Date Certain PM&E Measure Implementation

North Umpqua Hydroelectric Project (FERC 1927-008) Settlement Agreement
Protection, Mitigation, and Enhancement Measures Date Certain Commitments
Measures to be completed irrespective of final license issuance date.

Key	
	Due Date
●	Completed
○	In Progress

SA Sect.	PM&E	Y E A R											
		2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012+
13.0	AVIAN PROTECTION												
13.4	Records and Database Management System	●	●	●	●	○							
14.0	EROSION AND SEDIMENT CONTROL												
14.4.2	High Priority Erosion Sites: Fish Creek			○	●								
14.4.2	High Priority Erosion Sites: Clearwater and Lemolo System				○	○							
14.5	Monitoring	●	●	●	●	○							
14.7	Seismic and Geologic Hazard Evaluation			●									
15.0	TRANSPORTATION												
15.1	TMP Plan				●								
15.1	TMP Program Implementation					○							
15.2	PPL Roads to FS standards		●	●	●	○							
15.3	Cost Sharing for Joint Roads and Maintenance					○							
15.5	Bridges-Improvements	●	●	●	●	○							
15.6	Culvert Maintenance on PPL Use Roads		●	●	●	○							
16.0	AESTHETICS												
16.1	Visual Resources Management Plan and Program				●								
16.2	Landscaping Clearwater Shop												
16.2	Landscaping Clearwater Switchyard												
16.4	Transmission Line Evaluation (Design)					○							
17.0	RECREATION												
17.2	Operations and Maintenance Funding to FS				●	●							
17.7	Law Enforcement Funds to FS				●	●							
17.8	Rec-Deferred Capital Improvement Funds to FS		●	●	●								
17.9	Public Information Funding to FS				●	●							
17.10	Annual Monitoring Funding to FS				●	●							
17.11	Rec-NW FP Compliance Funds to FS				●								
18.0	CULTURAL												
18.1	Cultural Resources Management Plan			●	●	○							
18.3/18.6	Site Discovery/Monitoring	●	●	●	●	○							
18.4	Protection, Restoration, and Recovery				●	○							
19.0	MITIGATION												
19.1.1	Tributary Enhancement Account (MOU) funded (\$2M)*				●	●							
19.1.1.3	MOU Reporting*				●	●							
19.2	Long-Term Monitoring and Predator Control Funding (\$20K)				●	●							
19.3.3	Federal Mitigation Fund Deposit (\$1.3M)*				●	●							
19.5	Early Implementation Fund		●	●	○	●							
19.5.2	Early Implementation Fund Annual Reporting		●	●	●								
21.0	COORDINATION AND DECISION MAKING												
21.1	Resource Coordination Committee	●	●	●	●	●							
21.1	Resource Coordination Plan Developed and Implemented				○	○							
21.4.2	Annual Report		●	●	●	●							
21.5	Site Specific Plan Development		●	●	●	○							

* Funds deposited but cannot be disbursed until license appeals are finalized.

During the 2004-2005 report period, Settlement Agreement Date Certain actions focused on preparing study plans and reports for Section 8.3 North Umpqua River Habitat Restoration/Creation Project, construction projects, and engineering design. All Parties have worked cooperatively toward meeting Settlement Agreement schedule commitments. A status of the Date Certain projects are described below in Table 3.3-2.

TABLE 3.3-2
Status of Date Certain Settlement Agreement PM&E Measures

SA Section	Date Certain PM&E Measures	Due Date	Status
4.1.1 f	Soda Springs Tailrace Barrier Design	2005	Design and consultation in progress. PacifiCorp has requested an extension of time from all Settlement Agreement Parties and FERC. This extension was granted.
4.3.1a, c, d	Lemolo No. 2 Fishway Modification Design	2004	Design work and agency consultation underway. Designs were submitted to agencies on December 31, 2004. Initial evaluation plan submitted to agencies on January 18, 2005. Initial operations and maintenance (O&M) plan submitted to agencies on April 4, 2005.
4.3.2a	Fish Creek Downstream Fish Passage Design	2005	Design and agency reviews in progress by PacifiCorp and ODFW.
5.1	Soda Springs Instream Flow Increase	2003/2005	Flows increased to 95 cubic feet per second (cfs) on September 1, 2003. Flows increased to 150 cfs in October 2004 and 225 cfs in April 2005 based on an MOU with ODFW. Flows will increase to 275 cfs in September 2005.
5.1	Instream Flow Increases in Project Bypass Reaches (7)	2005	Designs submitted to FERC; construction planned for 2005 in-water work periods.
5.2	Instream Flow Re-evaluation	2004	FERC granted extension of time on February 1, 2005. Draft study plan was submitted to agencies on December 1, 2004, and it was agreed to not further pursue this study. Letter submitted to FERC in March 2005.
5.5	Instream Flow Monitoring Plan	December 2002	Approved by agencies on February 25, 2004, and approved by FERC on August 25, 2004. Gaging system is in place and operating. The U.S. Geological Survey (USGS) was contracted to operate related gauges and provide public access to data. Annual reports will begin for Water Year 2004.
6.1.1	Lemolo No. 2 Full-Flow Reach-Impact Analysis	December 2001	Impact analysis was originally to be part of the FERC NEPA analysis, which was completed successfully without this provision. PacifiCorp has initiated an interest-based process to best explore design alternatives to meet resource interests and site constraints.
6.4	Wild and Scenic Ramping Restrictions	June 2001	Ramp rate requirements have been followed within the 5 percent tolerance to the extent possible with existing equipment. A major upgrade and automation of Soda Springs Powerhouse was initiated in 2004 and has improved river management. Consultation continues as necessary.

TABLE 3.3-2

Status of Date Certain Settlement Agreement PM&E Measures

SA Section	Date Certain PM&E Measures	Due Date	Status
6.4.3	Wild and Scenic Ramping Study Plan	July 2001	PacifiCorp will focus on meeting ramping rates identified in Settlement Agreement; this study plan will not be pursued at this time.
6.5	Bypass Reach Ramping Restrictions	June 2001	Voluntary ramp rate restrictions until 1 year after new license. PacifiCorp has implemented these voluntary measures. Gaging system is in place to monitor compliance.
7.1	Gravel Augmentation in Soda Springs Bypass Reach	June 2001 - December 2004	Gravel was added during 2004 as required. SA 7.1 is now completed and replaced by SA 7.2 and 8.3 programs for long-term habitat maintenance.
7.2	Gravel Augmentation below Soda Springs Dam (Long-Term, per SA Amendment 1)	2002+	Ongoing implementation; long-term program. RCC approved delay of project until 2004 to allow for permitting. Experimental gravel pulse was constructed during 2004. Evaluation will follow and will guide the development of a long-term program.
7.2.2	Gravel Augmentation Monitoring Plan	2002+	Approved by the RCC on August 12, 2004, and approved by FERC on December 13, 2004. Monitoring began in 2004.
7.3	Passage of Woody Debris at Soda Springs and Slide Creek Dams	June 2001	Ongoing implementation project. Agency consultation on the operations plan was completed in 2004.
8.2.1	Slide Creek Implementation Plan	September 2002	Plan completed in 2002; approved by agencies in April 2004 and by FERC on September 28, 2004. Habitat enhancement work initiated in 2002 and modified in 2003 and 2004. Additional work may occur in 2005 based on interim monitoring and agency coordination.
8.2.2	Slide Creek Boulder Enhancement Monitoring Plan	September 2002	Approved by RCC on August 12, 2004, and by FERC on September 28, 2004.
8.3.1	North Umpqua River Habitat Restoration/Creation Feasibility Assessment	August 28, 2003	Approved by RCC on August 28, 2003; submitted to FERC in September 2003.
8.3.2	North Umpqua River Habitat Restoration/Creation Implementation Plan	2004	Approved by RCC on March 29, 2004, and by FERC on July 20, 2004.
8.3.3	North Umpqua River Habitat Restoration/Creation Monitoring Plan	2004	Approved by RCC on November 19, 2004, and by FERC on March 3, 2005. Monitoring is under way.
8.3.4	North Umpqua River Habitat Restoration/Creation Baseline Habitat Survey	2004	Completed in July 2004. Approved by RCC on November 19, 2004, and by FERC on March 3, 2005.
9.3	Lemolo Lake Elevation Limits	Ongoing	In compliance with Settlement Agreement terms as modified by the Lemolo Lake Management Plan. Ongoing obligation.

TABLE 3.3-2

Status of Date Certain Settlement Agreement PM&E Measures

SA Section	Date Certain PM&E Measures	Due Date	Status
9.3.1.1	Lemolo Lake Management Plan	2004	ODFW, USDA-FS, and PacifiCorp completed plan in March 2004, and the plan is being implemented.
11.1	Big Game Bridge Widening (31)	December 2004	All 31 bridges were widened in 2003.
11.4	Wildlife Underpasses (9)	2006	Nine locations were selected collaboratively with the resource agencies. Agency and FERC approval in June 2004. Construction from November to June 2005. <i>This obligation was completed 1 year early.</i>
12.1	Vegetation Management Plan	April 2003	Management Plan finalized in April 2004 and submitted to FERC. FERC reviewed the Plan and approved it in May 2005.
14.1	Erosion Control Plan	April 2003	The Erosion Plan is final and undergoing implementation. Erosion sites were monitored and an annual report was produced and distributed in November 2004 to interested Parties. Additional actions for erosion control were also completed under the EIP program. High-Priority erosion projects continue to be designed and submitted for agency review.
15.1, 15.2, 15.3, 15.5	Transportation Management Plan	April 2003	Plan began implementation in 2004. Bridges were inspected and upgrades are under way. Culvert assessment was finalized and maintenance was performed. The 5-year rolling action plan development is in final phases, with cost shares for joint use roads identified.
16.1, 16.3, 16.4	Visual Resources Aesthetics Management Plan	April 2003	Plan finalized in April 2004. PM&E measures receive visual resources review before implementation. PacifiCorp is pursuing a visual assessment model of the project works in the event that facilities need repainting or maintenance. The USDA-FS will be consulted on the application of the model in 2005.
17.1	Recreation Resources Management Plan	April 2003	Plan finalized in April 2004 and implementation is under way.
17.2	Campground Operations and Maintenance	Jan. 2004	In January 2004, PacifiCorp provided the USDA-FS \$130,619. In January 2005, PacifiCorp provided the USDA-FS \$83,307. (This amount is substantially less than previous year reflecting a reduction because of unspent 2004 funds carried forward.) These funds are to be used for the operation and maintenance expenses for campground facilities on or near PacifiCorp project waters.
17.7	Law Enforcement	January 2004, ongoing	In January 2005, PacifiCorp provided the USDA-FS \$ 8,499 for land-based law enforcement support at the recreation facilities in the FERC project boundary.

TABLE 3.3-2

Status of Date Certain Settlement Agreement PM&E Measures

SA Section	Date Certain PM&E Measures	Due Date	Status
17.8	Recreation Funds for Deferred Capital Projects to Forest Service	January 2004	In 2003, proposed actions included Boulder Flat boater put-in, Toketee Lake Campground picnic tables, and road improvements at Lemolo campgrounds (2002 project). With the exception of the raft launch, all of the proposed actions were completed. In January 2004, \$57,744 was dispersed to USDA-FS for a new toilet at Toketee campground. No additional deferred capital funds are obligated to the USDA-FS.
17.9	Public Information	January 2004	In January 2004, PacifiCorp provided \$94,491 to the USDA-FS for Public Information Programs and visitor center operations and maintenance. In January 2005, PacifiCorp gave \$7,617 for public information. Based on financial reporting, these monies have gone unspent. From 2005 onward, PacifiCorp will provide annual funds of \$6000, + escalation.
17.10	Annual Monitoring	January 2004	PacifiCorp funded the USDA-FS \$6,299 for the monitoring of recreation users at the facilities within the FERC project boundary. In January 2005, PacifiCorp provided \$7,617 for monitoring.
17.11	Forest Plan Compliance	January 2004 and 2007	In 2004, PacifiCorp funded the USDA-FS \$157,485 for actions necessary to meet the NW Forest Plan aquatic conservation strategies at recreation facilities. These actions are defined in the RRMP on the PacifiCorp Web site.
18.1	Cultural Resources (Historic Properties) Management Plan	December 2003	PacifiCorp submitted a renamed Historic Properties Management Plan (HPMP) to the USDA-FS, BLM, and SHPO for review and comment in December 2003, meeting the Settlement Agreement commitment. In 2004 agency comments and concerns were addressed and another draft produced in December. Tribes were notified for comment. Once all comments have been addressed the plan will be sent to FERC for review. This is anticipated in May 2005. All projects are following the HPMP review and approval procedures in the interim.
18.6	Cultural Resources Monitoring	Ongoing	PacifiCorp will continue to coordinate all activities with the USDA-FS, BLM, and SHPO to continue monitoring and protection of historic resources.
19.1.1	Tributary Enhancement Account	January 2004	In January 2004, PacifiCorp funded the account in the amount of \$2,078,174. Disbursements from the account shall not occur until the License is final. In 2005, PacifiCorp provided \$409,015 for future work associated the ODFW MOU.
19.2	Predator Control	January 2004, 2005	In January 2004, PacifiCorp funded \$20,954 to be used for predator control in Soda Springs. The RCC oversees the disbursement of this fund and has a technical work group (TWG) writing a monitoring plan and guiding work. Work in 2004 included hydroacoustic surveys of habitat and fish abundance, and pilot sampling of fish, in Soda Springs Reservoir. In 2005, PacifiCorp provided \$21,248. The TWG is determining the study and monitoring scopes of work that these funds will support.

TABLE 3.3-2

Status of Date Certain Settlement Agreement PM&E Measures

SA Section	Date Certain PM&E Measures	Due Date	Status
19.3	Mitigation Fund	January 2004, 2005 plus	PacifiCorp funded the USDA-FS \$1,298,858 for offsetting adverse impacts of the project in January 2004. Disbursements from the account shall not occur until the License is final. In January 2005, \$265,594 additional funds were added to the account.
19.5.4	2005 Early Implementation Account Deposit	January 2004	The implementation account was funded \$371,832 on January 31, 2005.
21.4.1	RCC	June 2002	Implementation ongoing.

3.3.1 Construction of Date Certain PM&E Measures

During the report period, PacifiCorp continued progress on the construction of Date Certain PM&E measures. Selected projects in this category are described below.

Instream Flow Implementation (SA 5.1)

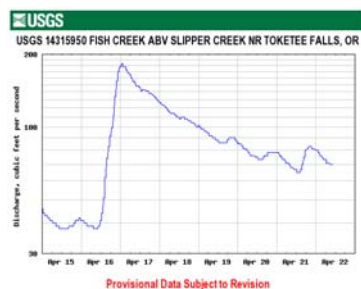


PacifiCorp continued designing instream flow release mechanisms suitable for meeting new instream flow requirements at all eight diversion dams. Construction is planned during the in-water work period of summer 2005, so that new, higher, and more stable flows can be provided by December 31, 2005. At Soda Springs, the interim instream flow of 95 cfs began on September 1, 2003. From the fall of 2004 through September 2005, flows will range from 150–225 cfs.

Flows will increase to 275 cfs on September 1, 2005, and will remain at this level. During 2004, the sluice gate at the base of Soda Springs Dam was restored and upgraded to reliably provide higher flows to Soda Springs Bypass Reach. It was used to provide flows of 275 cfs for several habitat studies in 2004, thus verifying that it is reliable for long-term use.

Instream Flow Monitoring (SA 5.5)

PacifiCorp continued upgrades to the network of 19 gage stations to satisfy compliance with minimum flows, water rights, and ramping rates, according to the Flow Monitoring Plan finalized in 2004. In 2004, upgrades to the flow monitoring included adding high-flow measurement capabilities, and adding satellite transmission equipment to get five new sites up for real-time public access via the USGS Web site. PacifiCorp will operate and maintain these sites for the entire license period per the Flow Monitoring Plan.



Soda Springs Bypass Valve (SA 6.8)



PacifiCorp completed upgrades to the bypass valve at Soda Springs Powerhouse to ensure that ramping rates in the Wild and Scenic Reach can be met during emergency powerhouse shutdowns. This was a technically complex project with many challenges, one of which was an unanticipated plant shutdown and bypass system failure on the evening of July 11, 2004, which caused flow to drop from 900 to 338 cfs within an hour before the problem was identified and flow was manually increased. PacifiCorp and the agencies

cooperated in a fisheries damage assessment, and then developed the resource-based mitigation agreement to address impacts. Mitigation consisted of higher flows in the Soda Springs Bypass Reach (150 to 225 cfs instead of 95 cfs) to increase the value of salmon and steelhead spawning and rearing habitat created by the Settlement Agreement 8.3 project.

Gravel Augmentation Program (SA 7.1)



PacifiCorp installed 400 cubic yards (cy) of spawning gravel into the Soda Springs Bypass Reach to enhance spawning habitat for salmon and steelhead. The gravel was placed during August 2004, in conjunction with other habitat construction projects. The Settlement Agreement 7.1 program is now completed, and is replaced by the Settlement Agreement 7.2 and 8.3 habitat programs for long-term maintenance of spawning habitat.

Gravel Augmentation Program (SA 7.2)

PacifiCorp installed 3,000 cy of spawning gravel during August 2004 to begin the Gravel Augmentation Pulse Experiment, as described in the 2003 implementation plan. Some gravel was placed in Soda Springs Bypass Reach, but most was placed in the mainstem river downstream of Soda Springs Powerhouse Dam. High flows during December mobilized the gravel, as intended. Results of a technical evaluation during the next few years, as described in the 2004 monitoring plan, will guide the development of a long-term Gravel Augmentation Program.



Slide Creek Bypass Reach Habitat Enhancement (SA 8.2)



PacifiCorp continued with the third year of habitat modifications in the Slide Creek bypass reach of the North Umpqua River between Slide Creek and Fish Creek, as indicated by the Slide Creek Implementation Plan (2002). PacifiCorp, Stillwater Sciences, and the agencies reviewed habitat changes related to the 2002 and 2003 work, and proceeded with an experimental addition of 740 cy of spawning gravel during fall 2004 to test the new boulder structures. Gravel was added over a cliff using a 60-ton crane to minimize disturbance to the river. Results of this experiment will be evaluated in spring 2005 and will guide possible additional modifications in summer 2005. PacifiCorp and the agencies also finalized a monitoring plan for this project

during 2004, to guide monitoring over the long term.

North Umpqua River Habitat Restoration/Creation Project (SA 8.3)

PacifiCorp and the agencies completed an implementation plan, a monitoring plan, and baseline habitat surveys for this project during 2004. Habitat



construction was completed in August 2004. It included the

removal of two damaged log weirs, replacement with two much larger log weirs, the addition of a new log weir, two boulder gardens, 600 cy of spawning gravel, and 10 large habitat logs. A post-

construction survey showed a net increase in Chinook spawning habitat of 15,000 square feet (sf) over that available before construction. The new habitat was heavily used by hundreds of spawning Chinook salmon during 2004, and was also used by coho salmon and steelhead during the first winter and spring. The project and its early success were described in several regional newspaper and television features. This project will be monitored and maintained by PacifiCorp and the agencies over the entire license period, according to the monitoring plan.



Wildlife Underpasses (SA 11.4)

During 2004, PacifiCorp, USDA-FS, and ODFW staff met on several occasions to site and design wildlife access under and over penstocks. The Settlement Agreement requires at least nine underpasses to be designed and constructed by 2006. PacifiCorp determined that this project merited early construction, and therefore, initiated early consultation with the agencies. The agency consultation resulted in determining that overpasses, not underpasses, in certain locations were a better solution. PacifiCorp completed the design and construction of all nine underpasses and overpasses in the spring of 2005, a year before their requirement.



Engineering designs for more than 16 environmental enhancement projects moved forward during the report period.



3.3.2 Design

The Settlement Agreement includes multiple design commitments. PacifiCorp initiated or continued this work during the 2004-2005 period in order to remain on schedule with future due dates. PacifiCorp is working on design drawings for the following projects:

- Soda Springs Tailrace Barrier (SA 4.1.1). PacifiCorp continues to evaluate design alternatives and will reinitiate agency consultation in 2005.
- Fish Creek Downstream Passage (SA 4.3.2). PacifiCorp has progressed on preliminary design and will begin agency consultation in 2005.
- Lemolo No. 2 Fishway Modification Design (SA 4.3.1). This project is being combined with the Settlement Agreement 5.1, Minimum Flow Releases. Agency consultation is ongoing. PacifiCorp submitted the operations and maintenance plan (SA 4.3.1c) to the agencies, and is incorporating their comments.
- In-stream Flow Implementation (SA 5.1). PacifiCorp is designing and permitting the instream flow release modifications necessary to meet the Table 1 Flow minimum flow requirements at six locations. Construction of the new release valves will be completed in 2005.
- In-Stream Flow Reevaluation (SA 5.2). PacifiCorp, USDA-FS, ODFW, and USFWS have the opportunity to re-evaluate the USDA-FS Spatial Niche Analysis pertaining to minimum flows in the Clearwater No. 2 bypass reach. PacifiCorp, with support of the other agencies, is electing not to pursue this re-evaluation.
- Lemolo No. 2 Full-Flow Reach (SA 6.1). PacifiCorp has initiated a design alternative development process with the Parties. The Parties have met several times to develop their interest statements and evaluate work completed to date. This design alternative process will continue in 2005.

- Reconnection of the Clearwater River (SA 7.5, 10.6). PacifiCorp and the Parties have met on several occasions to develop the appropriate design. The final design was generated in April 2005, and permit applications submitted. The design solution represents a considerable collaborative effort by all Parties that is exhibited in its ability to meet the interests of all involved.
- Restoring Riparian Habitat (SA 10.5). PacifiCorp has initiated design on the White Mule Creek Riparian Habitat Restoration with the Parties. PacifiCorp has also finalized design on the Potter Creek Riparian Habitat Restoration as part of the EIPs. Agency consultation has occurred through multiple meetings and site visits.
- Aquatic Connectivity (SA 10.6). In June 2005, PacifiCorp began a comprehensive design approach to all the aquatic connectivity sites. This approach will involve evaluating the design requirements for the aquatic connection as it relates to erosion control projects, culvert replacements, and wildlife bridge installation. PacifiCorp is consulting with USDA-FS and ODFW to ensure that aquatic resource design criteria are addressed.
- Enhancement of Wetlands (SA 11.5). Lemolo Lake Wetland: Field reconnaissance was conducted and a survey of the existing wetland for expansion was completed. Preliminary designs are being prepared by consultants at this time. Stump Lake Wetland: Initial agency consultation was started in April 2004. A work scope is ready for wetland delineation, gathering topography, and design of an expanded wetland complex below the diversion dam. Consultant should be given notice to proceed in May 2005.
- Flume Shutoff and Drainage System (SA 14.2). Conceptual designs have been approved by the consulting agencies. PacifiCorp is preparing a package for design services.



Aquatic Connectivity Site
Plans will be collaboratively
developed in 2005.

3.3.3 Plans and Reports

Slide Creek Bypass Reach Habitat Enhancement Project: 2004 Progress Report. Stillwater Sciences. Dec 2004 (SA 8.2)

The Slide Creek Bypass Reach Habitat Enhancement Project Progress Report provided a status reporting of the gravel placement from summer 2004 and the recommendations for remaining actions.

North Umpqua Habitat Restoration/Creation Project (SA 8.3, amended)

The agreement underlying the North Umpqua Habitat Restoration/Creation Project requires PacifiCorp to provide up to \$410,000 to improve and create spawning habitat in the watershed. The agency Parties are authorized to determine how these funds are to be spent. The Feasibility Assessment Plan and the Implementation Program associated with the North Umpqua Habitat Restoration/Creation Project were completed in 2004, and the Monitoring Plan was completed and approved by the RCC in November 2004. The plan contained the results of the baseline habitat survey work. In the spring of 2005, visual

monitoring was conducted by the technical work group to determine the extent of bed load movement. The decision was made that additional gravel was not needed this year.

Long-Term Monitoring and Predator Control (SA 19.2)

Settlement Agreement 19.2 provides for the development of a study plan, implementation plan, and monitoring and adaptive management plan concerning the potential predation of anadromous salmonid juveniles by nonnative predator species in Soda Springs Reservoir. It also provides for monitoring and evaluation of the success of the reintroduction of anadromous fish populations in the North Umpqua upstream of the Soda Springs Dam. A hydroacoustics fisheries assessment and bathymetric mapping of Soda Springs Reservoir was completed under the direction of the RCC in December 2004 by MaxDepth Aquatics, Inc. Fish sampling was also conducted in October 2004. Both of these efforts provide necessary technical information to develop the study plan. The study plan is anticipated to be completed in 2005.

Resource Management Plans

Resource management plans are required to establish resource goals, implementation measures, roles and responsibilities, schedules, and monitoring. In the last reporting year, considerable progress was made on the completion of plans. The development of these plans was a collaborative effort that will continue throughout their implementation. All of the following plans were finalized in May 2004 and filed with FERC. The Cultural (Historic) Resources Plan and the Resource Coordination Plan will be completed in 2005. All of the final plans are available on PacifiCorp's Web site (www.pacificorp.com).

- Erosion
- Transportation
- Aesthetics
- Vegetation
- Recreation
- Flow Monitoring
- Lemolo Lake Elevation

All of the plans contain a form of the “coordination and communication of activities requirement.” Meetings are scheduled to develop 5-year rolling actions plans for those plans that contain more actions.

The **Erosion Control Plan (SA 14.1)** also has an annual erosion monitoring report commitment. During the 2004-2005 period, PacifiCorp prepared an annual erosion monitoring report in September 2004, as required by Settlement Agreement 14.5, which includes results from a field reconnaissance. This report was distributed to the Parties. The **Erosion Control 5-year Rolling Action Plan** is under development and was distributed to the appropriate agencies in late May 2005 for review and comment.

The **Transportation 5-year Rolling Action Plan** is currently under development with the USDA-FS, with an estimated completion date of June 2005.

The **Aesthetic, Vegetation, and Recreation 5-Year Rolling Action Plans** are scheduled to be developed in the summer of 2005 with the state and federal agencies that are listed as interested Parties in the respective plans.

The **Flow Monitoring Plan** requires reporting within 3 months of receiving final USGS data. The water year ended September 30, 2004, and the USGS data has yet to be published. Once the data is published, PacifiCorp has 3 months to review the data and produce a report of deviations from required flows or ramp rates.

The **Lemolo Lake Elevation Plan** does not have an annual reporting requirement, but does include coordination meetings to discuss water year issues and potential issues. PacifiCorp, ODFW, and USDA-FS have been coordinating lake elevations for opening day of fishing season, as well as discussing potential issues related to the current drought. Further meetings will occur throughout the summer of 2005, as the need arises.

The **Cultural Resources Plan (Historic Properties Management Plan) (SA 18.1)** is in its final stages of review. PacifiCorp submitted a final draft Historic Properties Management Plan to USDA-FS, BLM, and the State Historic Preservation Office in December 2003. Since that submittal, the Parties have been addressing necessary elements of the plan. The purpose of this plan is to carefully define and describe the manner in which archeological and historic resources will be protected, and how potential impacts to these resources will be mitigated. The plan also includes provisions for how archaeological sites will be monitored and surveyed. This plan is anticipated to be completed in June 2005 and submitted to FERC.

The **Resource Coordination Plan** (SA 21.1) is scheduled for completion at the end of 2005. The objective of this plan is to provide a process that ensures that each individual action in the Settlement Agreement is coordinated with the appropriate Parties, and has taken into consideration its relationship to other actions and the potential regulatory changes that may occur over the term of the license. The plan also will define the purpose and need of the RCC, their ground rules, and their overall facilitation role.

3.4 License-Dependent Implementation

PM&E measures scheduled for post-license implementation are presented in Table 3.4-1. The actions shown in this table represent PM&E measures that will be delayed pending the license becoming final (after all administrative and judicial appeals). Table 3.4-1 also indicates measures for which work has been initiated even though the license is not final. This work commenced either to remain on schedule or because it provided added benefit to begin earlier than required by the Settlement Agreement.

TABLE 3.4-I
Final License-Dependent PM&E Measure Implementation

North Umpqua Hydroelectric Project (FERC 1927-008) Settlement Agreement Protection, Mitigation, and Enhancement Measures: Final License-Dependent PM&E Implementation

Key	
	Due Date
	Continues
	Completed
	In Progress

			FINAL LICENSE +																
SA Sect.	PM&E	Status	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
4.0	FISH PASSAGE MEASURES																		
4.1.1	Soda Upstream Fish Passage-Fish Ladder																		
4.1.1(f)	Soda Tailrace Barrier	○																	
4.1.1(f)	Slide Tailrace Barrier																		
4.1.2(d)	Soda Downstream Passage-Eicher Screens																		
4.1.2(f)	Soda Downstream Passage-Spillway Modifications																		
4.3.1 a.	Lemolo 2 Fishway Modifications																		
4.3.2 a.	Fish Creek Downstream Passage Screen																		
4.3.3	Toketee Trash Rack Modification																		
5.0	INSTREAM FLOWS																		
5.1	Implement Table 2 Flows																		
5.4	Lemolo 2 Reach																		
5.9	Toketee Bypass Reach	○																	
	All other flow measures are date certain.																		
6.0	RAMPING																		
6.1	Lemolo 2 Reach (Pipe to Stinkhole) Installation	○																	
6.2.1	Slide Creek Ramping Monitoring Plan Implementation																		
6.6	Project Maintenance App. D Schedule																		
6.7	Emergency Shutdown Ramping Restrictions																		
6.9	Slide Emergency Bypass Valve Evaluation																		
7.0	RESTORATION OF FLUVIAL PROCESSES																		
7.5	Reconnection of Clearwater River	○																	
8.0	MAIN STEM HABITAT ENHANCEMENT																		
	All actions are date certain.																		
9.0	RESERVOIR AND FOREBAY MANAGEMENT																		
9.3	Management of Lemolo Drawdown to Max 25i	○																	
9.3.2	Lemolo Reservoir Fluctuations (.5ft/day)																		
10.0	AQUATIC RESOURCES																		
10.2	Stump Lake Connectivity Invertebrate Ladder	○																	
10.3	Clearwater River Reconnection	○																	
10.4	Diversion Structure Removal Lemolo Named Creeks	○																	
10.4	Potter Creek Diversion Removal	○																	
10.4	Deer Creek Diversion Modification																		
10.6	Aquatic Connectivity Priority 1 Site Reconnections (57 sites)	○																	
10.6	Reconnecting Aquatic Sites, P2																		
10.6	Reconnecting Aquatic Sites, Re-evaluation 13 sites	○																	
11.0	TERRESTRIAL RESOURCES																		
11.2	Wildlife Crossings (34) New [L4]	○																	
11.5	Stillwater Habitat/Wetland Development (8)																		
	Stump Lake	○																	
	Stinkhole	○																	
	Fallen Mountain Creek-Lemolo 2																		
	Lemolo 1 Forebay Expansion Area																		
	Lemolo Campground Area	○																	
	Wetland Area #1, #2, #3																		
12.0	VEGETATION MANAGEMENT																		
	12.1-Vegetation Management Plan Implementation	○																	
13.0	AVIAN PROTECTION - ALL ACTIONS DATE CERTAIN																		
14.0	EROSION AND SEDIMENT CONTROL																		
14.2	Canal Shutoff and Drainage System																		
14.4.3	Medium Priority Erosion Sites (27)																		
15.0	TRANSPORTATION																		
15.4	Road Decommissioning																		
15.5.1	Bridge Maintenance Cost Sharing																		
15.6	Fish Culvert Upgrade																		
15.6	100-Yr. Flood Culvert Upgrades	○																	
16.0	AESTHETICS																		
16.1	VRMP Implementation	○																	
16.4	Tline Evaluation Mitigation at 11 Sites																		
17.0	RECREATION																		
17.8	Recreation Capital Improvements																		
18.0	CULTURAL																		
18.1	Cultural Resource Management Plan Implementation	○																	
19.0	MITIGATION																		
19.1.1	Tributary Enhancement Fund Disbursements (use of funds)																		
19.2.1	Long-Term Monitoring and Predator Control Fund Disbursements																		
19.3.3	Mitigation Fund Disbursements (use of funds)																		
20.0, 21.0, 22.0, 23.0	ALL ACTIONS IN THESE SECTIONS ARE NOT DEPENDENT ON A FINAL LICENSE																		

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3.5 FERC License Actions

The FERC license contains actions that are required in addition to those actions in the Settlement Agreement. Table 3.5-1 summarizes the FERC License requirements that were fulfilled during the reporting period of June 2004 to June 2005.

TABLE 3.5-1
FERC License Actions Status from June 2004 to June 2005

Date Filed	Article #	SA #	Description	Status/Comments
6/10/04	401	21.4.2	2003-2004 RCC Annual Report	Letter issued—filing requirement satisfied
8/19/04	401	8.2.1	Slide Creek Implementation Plan	Approved
8/20/04	401	7.2.2	Gravel Augmentation Monitoring Plan	Approved
8/20/04	401	8.2.2	Slide Creek Monitoring Plan	Approved
10/6/04	301/304	11.4	Wildlife Underpasses—Design & QCIP	Approved
11/15/04	401	4e Cond. 15	Request for Extension of Time to file Sensitive Species Plan to 11/18/05	Extension Granted
11/15/04	401	4e Cond. 17	Request for Extension of Time to file Survey & Management Plan for Species to 11/18/05	Extension Granted
11/16/04	304	11.4	Wildlife Underpasses—Agency Consultation Submittal	Approved
11/24/04	401	8.3.3	Habitat Restoration/Creation Monitoring Plan	Approved
12/9/04	401	11.1	Big Game Bridges—Documentation of Completion	Letter issued—filing requirement satisfied
1/31/05	411	n/a	2004 Threatened & Endangered Species Monitoring Report	Letter issued—filing requirement satisfied
2/18/05	401	4e Cond. 12	Fire Suppression Plan	Awaiting approval
3/1/05	401	4.3.1(d)	Request for Extension of Time to file Lemolo No. 2 Upstream Fishway Post-Construction Evaluation Plan to 8/31/05	Extension Granted
3/1/05	401	4.3.1(a)	Request for Extension of Time to file Lemolo No. 2 Upstream Fish Passage Plan to 8/31/05	Extension Granted
3/1/05	401	4.3.1(c)	Request for Extension of Time to file Fish Creek Upstream Fishway Operation & Maintenance Plan to 8/31/05	Extension Granted
3/1/05	401	4.3.1(c)	Request for Extension of Time to file Lemolo No. 2 Upstream Fishway Operation & Maintenance Plan to 8/31/05	Extension Granted
4/1/05	401	4.3.2(a) & (b)	Request for Extension of Time to file Fish Creek Fish Screen Design Plan to 4/1/07	Extension Granted
4/1/05	401	4.1.1(f)	Request for Extension of Time to file Soda Springs Tailrace Barrier Final Designs to 4/1/06	Extension Granted
4/1/05	401	10.5	Request for Extension of Time to file White Mule Creek Restoration Plan to 7/1/05	Extension Granted
4/1/05	401	10.5	Potter Creek Restoration Plan (95% complete design plans)	Awaiting approval
4/4/05	401	5.2	Request to delete the requirement for a plan to re-evaluate instream flows in the Clearwater 2 bypass reach	Approved
4/13/05	301	5.1	In-stream flow release modification drawings, specs, & QCIP (90% complete)	Awaiting approval
4/29/05	401	11.5	Wetland Restoration Plan	Awaiting approval
5/16/05	301	5.1	In-stream flow release modification dwgs, specs, & QCIP (90% complete)—revisions to QCIP	Awaiting approval
5/17/05	401	4e Cond. 13	Request for Extension of Time to file Solid Waste & Waste Water Plan to 11/30/05	Extension Granted
5/17/05	401	4e Cond. 14	Request for Extension of Time to file Spill Prevention & Control, and Hazardous Materials Management Plan to 11/30/05	Extension Granted
5/26/05	401	10.5	Potter Creek Restoration Plan (100% complete design plans)	Awaiting approval

3.6 Summary of Fund Payments

As required by Settlement Agreement Sections 7.2.3, 8.3. 5, 19.1.1.3, 19.3.1, and 19.5.2, the annual amounts of total payments made by PacifiCorp are summarized in Table 3.6-1, fulfilling the Settlement Agreement requirement to annually report the amount deposited and disbursed for each account. The Settlement Agreement does not require annual reporting for the Settlement Agreement 19.2 Long-Term Monitoring and Predator Control Fund. Since this exclusion was likely an oversight, the deposited and disbursed amounts are provided in Table 3.6-1 and in Appendix E. A detailed accounting for Settlement Agreement Sections 7.2, 8.3, and 19.2 is also contained in Appendix E. At this time, there have been no disbursements from the Tributary Enhancement Account (SA19.1) or the Mitigation Account (SA 19.3), as these accounts are not accessible until the license is final per the terms of the Settlement Agreement.

TABLE 3.6-1
Settlement Agreement Fund Status Summary

7.2.3 Gravel Augmentation Program	\$
2002 Opening Balance	175,000
2002 Expenditures	0
2002 Remaining Balance	175,000
2003 Escalation	1,337
2003 Opening Balance	176,337
2003 Expenditures	(10,385)
2003 Remaining Balance	165,952
2004 Escalation	2,655
2004 Opening Balance	168,607
2004 Expenditures	(119,488)
2004 Remaining Balance	49,119
2005 Escalation	688
2005 Opening Balance	49,807
8.3.5 North Umpqua Habitat Restoration/Creation Project	
2002 Opening Balance	410,000
2002 Expenditures	0
2002 Remaining Balance	410,000
2003 Escalation	3,132
2003 Opening Balance	413,132
2003 Expenditures	(47,340)
2003 Remaining Balance	365,792
2004 Escalation	5,853
2004 Opening Balance	371,645

TABLE 3.6-1
Settlement Agreement Fund Status Summary

2004 Expenditures	(102,715)
2004 Remaining Balance	268,930
2005 Escalation	3,765
2005 Opening Balance	272,695
19.1.1.3 Tributary Enhancement Account (State)	
2004 Opening Balance (Deposit)	2,078,174
2004 Expenditures	0
2004 Interest Earned	14,036
2005 Deposit	409,015
Total Fund Value	2,501,225
19.2.1 Predator Control Fund	
2004 Opening Balance	20,954
2004 Expenditures	(8,387)
2004 Interest Earned	130
2005 Deposit	21,248
Total Fund Value	33,945
19.3.1 Mitigation Account (Federal)	
2004 Opening Balance (Deposit)	1,298,858
2004 Expenditures	0
2004 Interest Earned	0
2005 Deposit	265,594
Total Fund Value	1,564,452
19.5.1 Early Implementation Fund Financial Summary	
2002 Opening Balance (Deposit)	358,187
2002 Expenditures	(291,728)
2002 Interest Earned	3,910
2002 Adjustments	-
Total 2002 EIP Remaining Balance	70,369
2003 Opening Balance	70,369
2003 Deposit	360,923
2003 Expenditures	(358,986)
2003 Interest Earned	3,424
2002 Adjustments (BLM credit)	5,965

TABLE 3.6-I
Settlement Agreement Fund Status Summary

Total 2003 EIP Remaining Balance	81,694
2004 Opening Balance	81,694
2004 Deposit	366,698
2004 Expenditures	(383,984)
2004 Interest Earned	5,491
Total 2004 EIP Remaining Balance	69,899
2005 Opening Balance	69,899
2005 Deposit	371,832
2005 Estimated Project Cost	483,965
2005 EIP Estimated Remaining Balance	(42,234)



Section 1

Section 2

Section 3

Section 4

Appendixes

SECTION 4.0

Conclusion

The material presented in the 2004-2005 Annual Report represents the benefit of a productive year that was made possible by the dedication of RCC members, their staffs, and the public. This collaborative approach provided an effective framework for PM&E measures in a highly valued watershed.

The RCC ground rules and protocols for interagency teamwork and communication have provided an effective, collaborative framework for watershed management in accordance with the goals of the Settlement Agreement. All Parties worked cooperatively toward meeting Settlement Agreement schedule commitments during the report period. None of the projects slated for implementation in 2005 are behind schedule, and several are ahead of schedule, such as the Wildlife Underpasses, which will be completed in early June—1½ years early.

During the 2004-2005 report period, a significant project was completed: the North Umpqua River Habitat Restoration/Creation Project (SA 8.3, amended). This project required a multidisciplinary team approach for successful design and installation of over 15,000 sf of new spawning gravel.

Dedicated individuals with state and federal agencies worked with PacifiCorp to meet the project's objectives within a fixed budget. The Parties believed this project would provide such a significant benefit that no staff time was charged against the fund, allowing additional funds for the purchase of additional spawning gravel in the future. This type of dedication to the actions in the Settlement Agreement will hopefully be sustainable throughout the entire 35-year license term. This type of project management resulted in PacifiCorp receiving the National Hydropower Association Outstanding Stewardship of American Rivers Award for the second year, because of the continued resource benefit the North Umpqua Hydroelectric Project provides. For more information on this award, please visit www.outstandingrivers.org.

The year ahead is likely to be equally as gratifying, as some very key projects are slated for construction, including Potter Creek Restoration and Clearwater River Reconnection. All Parties have been actively involved in these projects, ensuring that the range of interests have all been addressed.

PacifiCorp, in partnership with the Parties, continues to learn more each year, and values the increased role of FERC in the era of new license implementation.



In recognition of the success of the collaborative stewardship model, PacifiCorp and the project were honored with an Outstanding Stewardship Award, presented by the National Hydropower Association in April 2005.

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Appendix B: Resource Coordination Committee Ground Rules

Appendix C: Approved Resource Coordination Committee Meeting Summaries

Appendix D: 2004 Early Implementation Project Photos

Appendix E: Detailed Accounting

APPENDIX A

Resource Coordination Committee Members List

Appendix A
Resource Coordination Committee Caucus Membership
(Including Alternates and Caucus Members)

Organization	RCC Member	Caucus Members
USDA Forest Service	John Sloan	Pam Sichting (Alternate) Walt Dortch John Ouimet
USDI Fish and Wildlife Service	Craig Tuss	Rob Burns (Alternate) Scott Center Peter Lickwar Dave Peterson
USDI Bureau of Land Management	Bill O'Sullivan	Dan Couch (Alternate) Jeanne Standley Marci Todd
National Marine Fisheries Service	Stephanie Burchfield	Ken Phippen (Alternate) Keith Kirkendall
Oregon Department of Fish and Wildlife	Dave Harris	Ken Homolka (Alternate) Dave Loomis Steve Denney
Oregon Department of Environmental Quality	Dennis Belsky	Paul Heberling (Alternate) John Blanchard
Oregon Department of Water Resources	Craig Kohanek	Dave Williams (Alternate)
PacifiCorp	Diane Barr	Jim Wazlaw (Alternate) Richard Grost Charles Martin

APPENDIX B

Resource Coordination Committee Ground Rules

GROUND RULES – Adopted June 6, 2005
RESOURCE COORDINATION COMMITTEE
NORTH UMPQUA HYDROELECTRIC PROJECT SETTLEMENT
AGREEMENT, FERC #1927- 008

A. PURPOSE

These ground rules make explicit the common expectations with which the participants join the Resource Coordination Committee (RCC). They describe how government agencies and PacifiCorp will work together for effective communication, the decision-making process they will use, responsibilities of the committee members to one another and to their agencies, the spirit in which they will communicate, and the responsibilities of the facilitator.

B. ROLES AND RESPONSIBILITIES OF THE RCC

1. Role of the Resource Coordination Committee:

The Resource Coordination Committee (RCC) is created by Section 21 of the North Umpqua Hydroelectric Project (FERC #1927-008) Settlement Agreement, derives authority from that Settlement Agreement, and makes collective decisions while implementing the agreement. The structure and process of the RCC is intended to be value-added to its member organizations by providing a forum to address time sensitive matters, early warning of problems, and coordination of member organization actions, schedules, and decisions to save time and expense. The RCC shall not infringe on the authority of the agencies.

2. Responsibilities of the RCC according to the Settlement Agreement:

- a. Prioritize early implementation projects (SA 19.5.1).
- b. Facilitate coordination of the implementation of the Resource Coordination Plan (RCP), including ongoing operations and maintenance (SA 21.1). As the RCP will not be finalized until 2005, this role may not take place until future years.
- c. Coordinate and monitor implementation of Protection, Mitigation, and Enhancement (PM&E) Measures (SA 21.1), and coordinate ongoing monitoring requirements by PacifiCorp (SA 21.1)
- d. Coordinate responses and evaluations specifically assigned to the RCC in the Settlement Agreement (SA 8.2.2, 8.3.3, 12.2, 14.3.3, 14.5, 17.8, 19.2.1, 22.5.2)
- e. Facilitate coordination and consultation on plans developed by PacifiCorp (SA 21.1)
- f. Review and comment on the draft annual report of RCC activities and implementation of the PM&E Measures (SA 21.4.2).
- g. Serve as a common point of contact for public information regarding Settlement Agreement implementation (SA 19.5.3).

3. Settlement Agreement Actions specifically excluded from RCC responsibility include, but are not limited to:

- a. Administration of Tributary Enhancement Program through Oregon Department of Fish and Wildlife's (ODFW) Memorandum of Understanding (MOU) (SA 21.1)
- b. Administration of Mitigation Fund through the USDA Forest Service (SA 21.1)
- c. Approval of plans and actions regarding specific PM&E measures specifically assigned to individual organizations for resource protection in the Settlement Agreement (SA 21.2).

4. RCC Established Procedures (SA 21.1.c)

- a. **Interpret the Agreement:** Apply provisions to on-the-ground planning and implementation.
- b. **Monitor implementation of the Agreement as a whole:** Provide a wider view than one agency's perspective.
- c. **Avoid surprises and errors:** Through early warning and involvement, and through organization caucuses which transmit information to and from internal organization staff, head off conflicts early.
- d. **Track progress:** Serve as the interface for the parties to the Settlement Agreement as implementation takes place.
- e. **Identify policy issues:** As policy issues arise, work collectively to define and clarify issues and options, and recommendations for transmittal to the Executive Policy Group.
- f. **Provide public information:** Serve as a common point of contact for public information regarding Settlement Agreement implementation (SA 19.5.3).
- g. **Promote efficiency:** Share information between organizations. Communicate changes in policy, procedure or regulation. Consult prior to decision-making. Share technical resources.

C. STRUCTURE OF THE RCC

1. Composition

The RCC consists of eight members with equal authority who represent each of the following eight organizations: USDA Forest Service; USDI Bureau of Land Management; USDI Fish and Wildlife Service; National Marine Fisheries Service (NMFS); Oregon Department of Fish and Wildlife; Oregon Water Resources Department; Oregon Department of Environmental Quality; PacifiCorp.

2. Representation

Each organization represented will appoint a member and an alternate to represent the interests and concerns of that entity. The RCC will be informed when changes in a member or alternate are necessary.

3. Caucus Structure

Each RCC member will form a caucus within the organization they represent. Each caucus will develop procedures for keeping its members informed of the progress of the RCC and procedures for development, ratification and implementation of RCC recommendations within the spirit of these ground rules.

D. RCC MEETINGS

1. Schedule and Agendas

- a. The RCC will meet regularly as scheduled in advance. Meetings will be task-oriented with specific agendas.
- b. Members will receive agendas and other information prior to meetings. It is each member's responsibility to keep abreast of upcoming meeting dates and agenda issues.
- c. A review of proposed agenda items for the next meeting will be provided at the conclusion of each RCC session. Draft agendas will be distributed at least seven and preferably fourteen days prior to RCC meetings.

2. Record Keeping

- a. A record will be kept by the facilitator of every meeting which documents, at a minimum, members present and decisions made.
- b. A meeting summary from the prior meeting will be distributed for review with each draft agenda.
- c. At the beginning of each meeting, the prior meeting's summary will be amended as needed and approved.
- d. Draft meeting summaries containing RCC decisions and directives will be distributed to members only. Meeting summaries are working documents until approved by the RCC.
- e. After approval, meeting summaries including attachments related to RCC decisions, become part of the public record, will be posted on the PacifiCorp website, and will be included in the Annual Report.

3. Meeting / Conference Call Participation

- a. Consistency at the table is critical. Only one person can represent each organization at the table, but RCC members may be accompanied to meetings by other persons from within their agency or organization that are necessary to provide technical and other support. Individuals from outside the eight member RCC organizations may be invited to RCC meetings.
- b. Invitees will be asked to confine comments to issues at hand, subject to time limits, so as not to dilute discussion.
- c. Invitees who are not RCC members and not on any caucus may address the RCC and/or participate in discussions at the request of a member and with RCC agreement.

4. Public Participation

- a. Members of the public may attend RCC meetings as observers.
- b. Notification of RCC meeting dates and location will be made via web postings by PacifiCorp.
- c. Notification of meeting dates and location will also be made for open houses and other public meetings the RCC may sponsor (See Section H: Public Information).
- d. Public comment will be limited to two comment periods scheduled on the agenda. A period will be designated near the beginning of the meeting for agenda-specific comments, and a period will be designated near the close of the meeting for more general comments about Settlement Agreement implementation. Public comments shall be limited to three minutes per person. The RCC may expand or decrease the comment period for individual speaking time.
- e. Written comments to the RCC are encouraged and will be accepted at any time. Written comments will be incorporated in the record.
- f. The RCC shall endeavor to address public comment on agenda items during that meeting, or on a subsequent meeting agenda by the RCC.
- g. In order to assure that the RCC remains a working committee, the time periods reserved for public comment may be contained with the use of a sign up sheet for a pre-determined number of slots.
- h. The agenda and ground rules will be available to members of the public attending the meeting.
- i. The RCC may hold a closed work session before, during or after an RCC meeting. In such a case, the RCC will report any results of that work session at the subsequent public meeting. The RCC will not make final decisions during a closed work session.

E. RCC MEMBER PARTICIPATION

1. Statements, positions, and offers made during the RCC process are voluntary and are made only for purposes of the planning process. They are not to be considered findings for any other purpose, including litigation and administrative procedures, except when duly recorded in the meeting notes.
2. Members agree to work cooperatively to fulfill the responsibilities assigned to the RCC as established by the Settlement Agreement. No policies, approaches or decisions will be adopted unless there is agreement among the RCC members. The purpose of RCC discussions is to find agreement. Members will respect the interests of all participants and will try to incorporate the goals of all members into its recommendations.
3. If a member or alternate is unable to be present or to provide their proxy to another RCC member for three consecutive meetings and/or conference calls of the RCC or of a technical work group of which they are a member, their agency will be notified and a replacement member will be requested.
4. Members will act in good faith at all times. This includes the “No Surprises” rule: members will not act or speak in a place, time or manner that may surprise or put off-

guard other members. Good faith also includes making the effort to resolve disagreements in person rather than using email, early disclosure of issues or problems, following through on commitments, sharing information on related matters, and characterizing individual or caucus viewpoints fully and accurately. Good faith efforts include working directly with the RCC representative rather than seeking resolution with other members of an organization.

5. Discussions of substance and development of solutions will focus on interests and concerns rather than positions and demands. Members will respect the concerns and interests of others, whether or not they are in agreement with them. Members will work in the spirit of giving the same priority to solving the problems of others as their own.
6. Members will seek commonalities in their respective views and will seek to identify convergences of mission, opinion and values.
7. Members will state their own concerns and interests clearly, listen carefully to others, and explore issues from all points of view before forming conclusions.

F. COMMUNICATION DURING PROCESS

1. Committee and caucus members agree that successful collaboration depends upon individuals who work within the group to resolve issues and develop coordinated materials to inform the public on their activities.
2. Participants agree to work collaboratively. To the extent that is practical, committee members will interact at the table or between meetings in person. If contacted by members of the public or the media, participants agree to speak only for their organization on specific elements of implementation, and to forward to the facilitator and the other parties inquiries that affect other members of the RCC.
3. With regard to those portions of the Settlement Agreement relating to the RCC, participants will not attempt to influence the public, lobbyists or the media unless requested to do so by the RCC. Participants agree not to reach out as individuals or individual agencies to the public or the media in an effort to influence the RCC process, but to approach the public and media as a collective, collaborative entity.
4. Public products related to RCC activities will be adopted by the RCC as a whole.
5. With regard to internal written material, members agree not to characterize the motivations or positions of any other participant or caucus. Members agree to only represent positions of the RCC that have been agreed upon and to present those positions fully and accurately, including any formal dissent. This is not meant to restrict members from briefing their managers and appropriate public officials on the viewpoints and perspectives of other RCC members.

6. The first avenue for resolving differences is through the RCC. If this is not successful, the Settlement Agreement provisions for dispute resolution in Section 22 will be used.
7. The RCC does not intend to restrict the free flow of discussion or information, written or verbal, between the members, caucuses, or technical staff as they work to implement the Settlement Agreement. The RCC is a problem-solving group available as needed to assist efficient Settlement Agreement implementation.

G. ROLE AND RESPONSIBILITIES OF THE FACILITATOR

1. The facilitator is an impartial individual who guides the process. The facilitator chairs the RCC meetings, prepares agendas and meeting summaries, and coordinates logistics.
2. The facilitator will keep the RCC focused on the mission, agenda, and agreed-upon tasks, and may suggest alternative procedures, and will encourage participation by all members.
3. The facilitator shall be the designated contact point and spokesperson for the process and its progress unless otherwise agreed by the RCC. She will contact members of the RCC as needed to assist with public information needs.
4. The facilitator may communicate between meetings with individual members and caucuses, and assist the free movement of ideas between members and caucuses.
5. The members by consensus may change the facilitator's duties.

H. PUBLIC INFORMATION

1. The RCC will provide public information as often as possible within the context of its responsibilities to speak as a group with consensus. The RCC will seek public involvement through public meetings, open houses, and/or other means of communication as agreed upon. At these times it will consult with the public about matters under discussion and receive suggestions.
2. Public information through the RCC is separate from and in addition to public information through the site-specific National Environmental Policy Act process undertaken by public agencies.
3. If the RCC wishes to make a public statement, a joint statement suitable for discussion with the media will be agreed to by the RCC in advance. When responding to the media, the members shall respond within the spirit of the media statement agreed to.

I. DECISION-MAKING

1. Consensus

- a. The principle which underlies RCC decision-making is that the RCC will do everything it can to carry out the Settlement Agreement, and will assist all members to identify mutually acceptable and appropriate means to do so.
- b. Approval of a *substantive decision* by the RCC shall be by consensus among its members through a formal polling process. Each member will register his or her degree of agreement with the decision according to the language in the chart below. The facilitator will record the polling results as noted below.
- c. A *substantive decision* is defined as establishing priorities of early implementation projects, recommendations to the Executive Policy Group for amendments (SA 22.6) to the PM&E Measures implementation schedule, approval of any written product of the RCC for general circulation such as annual reports (SA 21.4.2), evaluations and monitoring assigned to the RCC in the Settlement Agreement, public information material, or other actions of the RCC required to carry out its roles and responsibilities described in Section B.
- d. A substantive decision will be made by the RCC in a manner that allows time to communicate within caucuses.
- e. Consensus is defined in terms of agreement along a continuum summarized in the chart below. Committee members will communicate the degree of their agreement with language from the first four columns:

Endorse	Stand aside	Abstain	Formal disagreement but will go with the majority	Block
"I like it or can live with it"	"I don't like this but I don't want to hold up the group"	"I have no opinion"	"I want my disagreement to be noted in writing but I'll support the decision"	"I cannot move forward with this proposal"

- f. If any party states that its position is characterized by the "block" column to the far right of the chart, the RCC does not have consensus.
- g. If all RCC members indicate positions characterized by any of the four columns to the left, the RCC has "agreement by consensus".
- h. The purpose of the position statements in the four columns to the left side of the chart is to share information with other RCC members about degree of support. However, for the purposes of the meeting notes, the facilitator will record RCC member positions as follows:
 - "Endorse" or "Stand aside" will be recorded as support.
 - "Abstain" or "Formal disagreement" will be recorded as an abstention that does not prevent consensus (For example the notes may state: "A consensus decision was reached with two abstentions").
 - "Block" will be recorded as no consensus due to a block.

- i. “Formal disagreement” but support of majority consensus is a position intended to note a member organization’s dissent with the decision, yet allow it to concede that the decision is the best way to proceed to implement the Settlement Agreement. The rationale for the formal disagreement will be put into writing by the member and facilitator, agreed to by the RCC, and included in the description of the RCC decision. In this manner the RCC will support the rationale for the dissent, yet proceed with what it determines to be the best course of action.
- j. Registering a “Block”, a “Formal Disagreement” or a “Stand Aside” by a member requires that the RCC revisit the language of the proposed decision to attempt to meet the interests of the party so registering. A second polling of the members will then take place. After the second poll, any register of a “Block” moves the decision into the dispute resolution process as described in Section 22 of the Settlement Agreement.
- k. If an RCC member is not present for a substantive decision and does not respond to three inquiries on that decision within two weeks after the pertinent RCC meeting, the organization’s position shall be registered as abstain from the decision. RCC members may provide their voting proxy to another member. The vote will be recorded by the facilitator as a vote by the member providing the proxy.
- l. Non-substantive decisions may be made by voice (aye/nay), or by the facilitator’s request that any dissenting member disclose his or her dissent. In the absence of such objection, the facilitator may declare consensus.

2. Quorum

A quorum of members must be present to conduct official business on behalf of the RCC. A quorum is four of the eight members. For substantive decisions, all eight members of the RCC must register a position at the RCC meeting, by written correspondence, or by recorded communications to the facilitator within two weeks of the pertinent RCC meeting. In the event of abstaining by default due to non-response, the facilitator will so note for the record (see 1. k above).

J. TECHNICAL WORK GROUPS

- 1. Technical work groups will be formed by consensus of the RCC to facilitate PM&E implementation. The purpose of such groups is to minimize process, reduce costs, and serve as forums for efficient information exchange. The Resource Coordination Plan may define the process for establishing sub-committees and technical work groups as well as their roles and responsibilities. This Plan will be completed in December 2005. In the interim, new PM&E’s that require RCC participation will be addressed at the next scheduled RCC meeting with the intent of identifying a technical work group process. These groups may include persons who are not members of a caucus.
- 2. The RCC will define and ratify the scope of work and timeline for technical work groups.
- 3. Requests for technical information and research by participants of a technical work group of the RCC must come through the RCC. New research and data collection involving significant cost or time must be authorized by the RCC.

4. The Public is welcome to attend technical work group workshops. Information about attendance opportunities will be made available during an RCC meeting in which the technical work group is established and posted on the PacifiCorp website.

K. PRODUCTS

1. The annual report shall be transmitted by PacifiCorp to the members 30 days before the scheduled date for consideration and approval by the RCC, as provided for in the Settlement Agreement.
2. Meeting agendas, meeting summaries, and other meeting products shall be prepared, distributed and/or adopted as described in D.2 above.
3. If additional written products and reports are agreed upon, there will not be minority reports. A single report encompassing both issues on which there is agreement and issues on which there are differing perspectives will be reviewed and approved by the RCC.

L. AMENDMENTS TO GROUND RULES

Participating in RCC meetings signals an understanding and acceptance of the ground rules. The RCC may amend these ground rules by consensus. Modification of the ground rules will be considered a substantive decision.

END

APPENDIX C

Approved Resource Coordination Committee Meeting Summaries

Resource Coordination Committee
July 9, 2004 Conference Call Summary; Approved August 12, 2004
North Umpqua Hydroelectric Project, FERC# 1927-008

RCC Members Present:

Dennis Belsky, ODEQ
Stephanie Burchfield, NOAA F
John Sloan, USDA FS
Diane Barr, PacifiCorp

Bill O' Sullivan, BLM
Ken Homolka, ODFW
Craig Tuss, USFWS

Others Present:

Rich Grost, PacifiCorp
Lois Schwennesen, Facilitator

Pam Sighting, USDA FS

Purpose: Discuss and act on budget elements for 7.2 and 8.3 projects.

Background information was provided by Rich Grost via email on June 29, 2004. Discussion addressed: RCC members' interest in providing some financial flexibility for the TWG and project manager; the value of having both baseline and high flow monitoring done by the same consultant; the need for additional discussion about the scope of the monitoring prior to approving monitoring expenditures; the need for and the source of funding for the permeability pack; that other than Rich Grost's time, no additional RCC or TWG staff support is assumed in the estimates; and the desire to review the budget approval process at the next RCC meeting.

Craig Kohanek (ODWR) has given Ken Homolka (ODFW) his proxy for budget decisions today. RCC actions were as follows:

SA 8.3 Mainstem Habitat Creation Project

The RCC unanimously approved up to \$10k for the baseline habitat survey (funds to include the permeability pack). The additional \$10k anticipated for post-habitat monitoring will be addressed at a future time.

The RCC unanimously approved the \$65k expenditure for material, processing, delivery, and construction of habitat structures and gravel beds. The original estimate was \$71K.

SA 7.2 Gravel Augmentation Program / Pulse Experiment

The RCC unanimously approved the \$98k expenditure for material, processing, delivery, and construction of the gravel pulse experiment.

The RCC unanimously approved up to \$20k for pre-high flow monitoring for 2004. pre high flow monitoring 2004, including aerial videography and deliverables.

Next meeting: August 12 - Diamond Lake Ranger District Office. Topics: Finalize 7.2 monitoring plan, review RCC budget approval process, visit habitat project site.

Adjourned

8/12/04 Meeting Summary; Approved 9/27/04
Resource Coordination Committee
North Umpqua Hydroelectric Project, FERC# 1927-008

RCC Members/Alternates Present

Dennis Belsky	ODEQ	Craig Tuss	USFWS
Ken Homolka	ODFW	Stephanie Burchfield	NOAA Fisheries
Dan Couch	BLM	Diane Barr	PacifiCorp
John Sloan	USDA Forest Service		

Also Present

Jim Wazlaw	PacifiCorp	Tim O'Connor	PacifiCorp
Rich Grost	PacifiCorp	John Ouimet	USDA Forest Service
Lois Schwennesen	Facilitator		

Introductions and Meeting Notes

The July 9, 2004 conference call summary was approved as amended by consensus of the RCC. The June 2, 2004 meeting summary was distributed for additional review and future approval.

Additional Agenda Items

John Sloan requested an assessment from PacifiCorp of flow fluctuations between June 12 and July 12, which included deviations beyond the 5% tolerance at the Copeland gage. His concern relates to the wild and scenic river reach and the responsibilities of the agencies, pursuant to the Settlement Agreement, to monitor the Copeland gage.

Rich Grost noted that on July 11 he intended to send out notice of the above deviations but that effort was precluded by the July 11 event (see below). He reported that most deviations were due to required automation and equipment testing. The 5% deviation tolerance is based on natural flow conditions and it is difficult to get a fix on base flows.

RCC members acknowledged the difficult timing and agreed that the “no surprises” rule between the members helps when responses are needed for Conservation groups asking about the deviations.

Public Comments

No comments.

Public Notice of RCC Meetings

Lois Schwennesen reviewed the past RCC practice of public notification and checked with RCC members about possible changes to these practices. Currently, PacifiCorp posts RCC meeting summaries on its website. Summaries include upcoming meeting dates, times and places. Lois also routinely shares agendas with Stan Vejtasa, Umpqua Valley Audobon Society, who regularly attends meetings and shares information with other conservation groups.

After discussion, the parties agreed it would be helpful to add a separate block to the website noting upcoming RCC meetings and expected topics in bullet form. Diane Barr will check with PacifiCorp's Webmaster about the feasibility of this approach and report back at the next RCC meeting for a final decision.

July Flow Event

Rich Grost gave a short presentation describing the causes of the July 11, 2004 interruption of flows below Soda Springs powerhouse and PacifiCorp's efforts to assist Oregon Department of Fish and Wildlife (ODFW) personnel in assessing fish losses. ODFW is undertaking a damage assessment to estimate numbers and species of fish killed and to propose compensation for this loss. Other RCC members indicated a desire to reach a fair and timely resolution to this issue and to suitably mitigate the damage.

Suggestions offered to improve the response and investigation process for future unplanned events:

- Update the notification system for quicker response. Consider an automated contact system;
- Request assistance with assessments from BLM's fish biologist; and
- Forward all comments from the public to PacifiCorp for prompt and specific response, as well as follow-up as potential sources of information.

Gravel Augmentation Progress Monitoring Plan (Section 7.2) Approved

The 7.2 monitoring plan was approved unanimously by attending RCC members and also by OWRD as Craig Kohanek provided his proxy to Ken Homolka. Note for the record regarding baseline aerial photos (pages 5 and 6): when aerial photography is conducted, basemaps will be developed concurrently for 7.2 and 8.3 to make efficient use of resources. Rich Grost will provide RCC members with an electronic final CD copy of the monitoring plan as well as a print version.

Baseline Survey Plan and Monitoring Plan (Section 8.3) Approved

The 8.3 monitoring plan was approved unanimously by all attending RCC members and also by OWRD as Craig Kohanek provided his proxy to Ken Homolka. In a subsequent discussion, related to adaptive management, Stephanie Burchfield raised a concern she previously submitted in her comments. ODFW stated it had the same concerns. Specifically, they felt that if a site has a low quantitative ranking or indicates a reduction in ranking, the RCC may be back at the drawing board because the plan doesn't provide clarity about what to do in advance. Discussion concluded with the observation that new science may provide different options in the future. The expectation is that PacifiCorp will consult with the participating agencies to find solutions when they are needed.

Suggestions and lessons from the monitoring plan development and approval process:

- Drafts in pdf files cannot be edited, making them difficult to review and comment on. Due to the size of the files a CD with a word document may work better; and
- While clarifications are appropriate, implementation documents, such as the monitoring plans, must refer to the Settlement Agreement or License and cannot supersede commitments in these documents.

- Implementation and monitoring documents are commitments of the Settlement Agreement that guide development and monitoring of mitigation measures to ensure these commitments are met.

RCC Budget Approval Process

Lois Schwennesen summarized the protocols that have evolved from recent budget work:

- Provide written material and a specific request for RCC action 10 days ahead;
- Be specific, in writing if possible, about TWG recommendations (be sure to record TWG actions at the time of TWG meetings);
- If new information must be added after the 10 day advance notice period, provide the information as soon as possible, with an explanation of its source; and
- If the RCC members do not have time for adequate preparation, don't force decisions, but schedule a follow-up meeting.

Early Implementation Project Status

Diane Barr reported that 2004 projects are on task, some active and some in the contract procurement stage. Currently, we appear to be over budget \$75,000 but final costs are not yet in and previous estimates have been high. PacifiCorp is moving forward on siting wildlife bridges even though construction is final license dependent.

2005 EIP Committee formed: Pam Sichting, Dennis Belsky, Ken Homolka, Diane Barr, and Stephanie Burchfield.

Policy Group Tour September 16

The Policy Group plans to meet at the Ranger Station for a tour of the habitat project. The time is yet to be determined. John Sloan and Craig Tuss will assist.

Public Outreach

The RCC discussed public outreach, a public tour of the project, and a public information event. The RCC decided to hold a publicly noticed meeting in late October at the Douglas County Library. A sign-up for a public tour will be offered at the meeting. Specific invitations will be sent to a diverse group including the chamber of commerce, county commissioners, and environmental organizations. Further planning will take place during the upcoming RCC Conference call.

Future RCC Meetings and Proposed Agenda Items:

Conference Call - September 27, 2004, 1:30 pm - 3:00 pm

Topics: Early Implementation; Predator control; Preparation for public meeting

Meeting - October 26 Meeting (time to be determined)

Douglas County Library, Roseburg

RCC Public Meeting followed by Public Information Session

Adjourned

After adjourning, RCC members toured the site of the Soda Springs Habitat Enhancement Project

9/27/04 Meeting Notes; Approved 10/26/04
Resource Coordination Committee
North Umpqua Hydroelectric Project, FERC# 1927-008

RCC Members or Alternates Present

Diane Barr	PacifiCorp	Craig Tuss	US Fish and Wildlife Service
Dennis Belsky	ODEQ	Dan Couch	BLM
Stephanie Burchfield	NOAA Fisheries	Ken Homolka	ODFW
Craig Kohanek	ODWR	John Sloan	USDA Forest Service

Also Present

Dave Harris	ODFW	Stan Vejtasa	Umpqua Valley Audubon Society
Jim Wazlaw	PacifiCorp	Pam Sighting	USDA Forest Service
Lois Schwennesen	Facilitator		

Additional Agenda Items

Pam Sighting, USDA Forest Service, requested discussion and approval of reimbursement to the Forest Service for NEPA Wild and Scenic River Analysis on projects 8.3 and 7.2.

Diane Barr, PacifiCorp, requested discussion and approval of canceling the 2004 EIP Project Road Decommissioning (3400-077) and moving it to 2005, as well as a discussion and decision regarding 2005 EIP Projects.

Meeting Notes

The August 12, 2004 meeting notes were approved as submitted by consensus of the RCC.

Public Comment

No comments.

Technical Work Group Reports:

SA 19.2.1 Long Term Monitoring/Predator Control Fund: Dave Harris, ODFW, informed the RCC that MaxDepth Aquatics, Inc. completed the hydroacoustic/fisheries work during the first week of September. Results from this portion of the study are pending. Tangle nets were set the following week by ODFW biologist. Due to the large fluctuation in reservoir water height, the nets did not fish effectively. As a result, no fish were captured as part of a stomach analysis study.

2004 Early Implementation Progress Report: Dianne Barr presented a recommendation of the subgroup to cancel the EIP Project Road Decommissioning (3400-077) and move to 2005. As explained, there are two reasons to do this. First, the funds are over allocated by approximately \$42,000 for 2004. The Road Decommissioning project is estimated at \$118,000. If this project is put off until 2005, the 2005 budget will begin the year with a credit of approximately \$75,000. Secondly, there is not enough time to complete the project during 2004 because of the required coordination with FERC.

The recommendation of the subgroup to cancel 3100-077 for the year 2004 and move to 2005 was carried by unanimous vote of the RCC.

2005 Early Implementation Committee Report:

Dianne Barr reported on the sub-committee meeting last Friday, October 24, 2004. The committee identified two options: (1) Rock Creek Project and decommissioning; or (2) a series of different improvements relating to erosion, weed control, etc. Spreadsheets identifying the two proposals were provided prior to the call and are attached to these minutes. It was noted that Option 1, the Rock Creek Project and decommissioning, is a high profile project, while Option 2 continues with traditional projects similar in nature to the projects selected in the last couple years.

The RCC decided members need more time to consider the information. A final decision will be made during the October 26, 2004 meeting. In the meantime, RCC members will complete the following next steps to facilitate that decision:

1. ODFW will provide details on the project costs for the Rock Creek project, sources of funding, status of application process for additional funding, and information on the proposed construction schedule;
2. Forest Service and PacifiCorp attorneys will review Settlement Agreement section 9.5.1 for consistency with the proposed decision before the RCC on 2005 projects and the EIP process; and
3. The Forest Service will provide a list of proposed FS projects, including the noxious weed projects.

NEPA Update:

John Sloan reported that PacifiCorp and the Forest Service have signed a memorandum of understanding regarding the effects of Section 21.7 of the Settlement Agreement and FERC required EIS on future projects. As a part of this memorandum, PacifiCorp and the Forest Service agree that the Forest Service has a responsibility to meet NEPA requirements. The memorandum also addresses section 21.5 of the Settlement Agreement and License Article 301 and further clarifies NEPA responsibilities. Both parties determined that additional NEPA analysis is not necessary unless: 1) not site-specifically identified (site-specific NEPA already addressed through FERC EIS); 2) outside of project boundary; or 3) it is a new policy issue.

Forest Service proposal related to FS reimbursement tied to NEPA:

The Forest Service requested that the RCC reimburse it for an unanticipated Wild and Scenic River analysis conducted by the Forest Service in 2004 for projects 8.3 and 7.2. The cost of that analysis was \$3,061.

The Forest Service's request that it be reimbursed for the Wild and Scenic River Analysis, in the amount of \$3,061, was carried by unanimous vote of the RCC.

Ability of website to provide public meeting information:

Diane Barr, PacifiCorp, reported that it will be possible to include public meeting information on the website. The website is currently being updated and improved, but it should be able to include information on the October 26 Public Forum.

Policy Group September Site Tour to Soda Springs:

Lois Schwennesen reported that about half of the Policy Group members were able to attend the Soda Springs Habitat tour. Policy Group members visited numerous sites and received project briefings by PacifiCorp and the Forest Service. It was reported that Policy Group members strongly support continued public outreach, as well as offering similar site tours to the public.

Oct 26 Meeting and Public Information Session

Following discussion, the RCC decided to hold a public information session from 4:00 pm to 7:30 pm on October 26, 2004, following a regular meeting from 11:00 pm to 2:30 pm. RCC Members discussed the various materials to present to the public. The agreed objective is to share with the public progress made since the last open house over a year ago.

Future RCC Meetings and Proposed Agenda Items:**Conference Call – Time and date to be determined**

- Dianne Barr to convene
- Discuss public outreach
- Invite Public Information Officers to attend

Meeting - October 26 Meeting

Douglas County Library, Roseburg

- RCC Public Meeting 11:00 pm to 2:30 pm; Public Information Session 4:00 pm to 7:30 pm.

Adjourned

10/26/04 Meeting Summary; Approved 11/19/04
Resource Coordination Committee
North Umpqua Hydroelectric Project, FERC# 1927-008

RCC Members or Alternates Present

Diane Barr	PacifiCorp	Craig Tuss	US Fish and Wildlife Service
Dennis Belsky	ODEQ	Marci Todd	BLM
Stephanie Burchfield	NOAA Fisheries (by phone)	Ken Homolka	ODFW
Craig Kohanek	ODWR	John Sloan	USDA Forest Service

Also Present

Dave Harris	Stan Vejtasa	Umpqua Valley Audubon Society	
Jerry Roppe	PacifiCorp	Robin Hartman	North Umpqua Foundation
Bill O'Sullivan	BLM	Pam Sighting	USDA Forest Service
Lois Schwennesen	Facilitator		

Meeting Notes

Following member updates, the September 27, 2004 meeting notes were approved, with a few minor changes, by consensus of the RCC.

Public Comment

Stan Vejtasa, Umpqua Valley Audubon Society, expressed his concern about ramping. He feels the water should be released when the fish require it, rather than arbitrarily, and that a water bank could be used to benefit fish.

Robin Hartman, North Umpqua Foundation, spoke about stranding watch and the need for a more automated system. She proposed a program she recently learned of and asked to meet individually with RCC members. RCC members will meet with her and report back to the RCC at the next meeting.

2004 Early Implementation Progress Report:

Dianne Barr reported that 2004 EIP projects are winding down on schedule. The budget forecast is also on track, given the RCC's decision to delay the road decommissioning project until 2005. She reminded RCC members that, because of that decision, the 2005 budget will begin the year with an approximate \$75,000 credit. The final eip 2004 budget status will be determined in early 2005

Settlement Agreement Section 7.2 (Gravel Augmentation Program):

Rich Grost reported that the project came in approximately \$1,000 under budget. Aerial videography will be completed the weekend of October 30th. Variability reports will be provided at the next meeting.

Settlement Agreement Section 8.3 (Habitat Creation/Enhancement):

Rich Grost reported that construction has been completed for this project. The project cost actually came in a bit higher than the \$71,000 estimate. The increase was due to: 1) boulder transportation was not included in the estimate; 2) it took more time to find and transport appropriate logs for placement; and 3) the overall project took an extra day.

The technical work group recommends paying the actual costs. Following a brief discussion by RCC members, it was approved by consensus of the RCC that the actual costs be paid in full.

Monitoring Plan, Baseline Habitat Plan, and Post-Construction Habitat Survey:

Technical work groups are currently reviewing the monitoring plan, including the baseline habitat plan and the post-construction habitat survey. The reviews will be completed by October 29. The RCC will be asked to act on these in mid-November. These documents must be sent to FERC by November 30.

It is estimated that there is currently 14,900 square feet of habitat for Chinook, 9,100 for Coho, and 12,700 for Steelhead. More analysis will be completed after the high-flow. The TWG will be responsible for analysis in the long-term. Members commented that they are pleased with the Land and Water Reports.

Settlement Agreement Section 19.2 (Implementation):

Dave Harris reported that they are still waiting for the report. Although Rich Grost is planning on setting some trap nets and tangle nets this coming week and some stomach analysis is planned, ODFW does not have the staff to assist in further testing. Dave noted that the RCC may be asked for additional funds for land support, which would put the project over budget. Land and Water is available if needed.

2005 Early Implementation:

Ken Homolka proposed that the RCC approve all of the projects listed in Option Two (attached), but replace the High-priority culvert project (B-6) with funding for completing the final design for the Rock Creek project. The funding requested is \$45,000. Reasons for approving this proposal include: 1) Matching funds will only be available once the design is completed; 2) It would be inefficient to extend construction of the Rock Creek Project over two years, rather than one, and makes more sense to complete the design 2005 and begin construction in 2006; 3) Further, there is not enough time to complete the design and begin construction in 2005. In addition, it was noted that the entire \$45,000 might not be needed for completing the design. If funds are left over, they will be available for other EIP projects in either 2005 or 2006.

During discussion, RCC members agreed that Settlement Agreement Section 19.5 does not place a limit or restriction on the projects funded by EIP, but rather provides guidance in choosing projects. Given that, RCC members agreed that the Rock Creek proposal is not precluded. RCC members further agreed that by funding the final design now, it increases the likelihood that the project will be completed sooner.

RCC members noted and agreed that, while this was not a staged request for funding for the Rock Creek project, there is a reasonable expectation that additional funding will be requested for 2006.

NOAA F, ODFW and USFW agreed to review the designs.

The proposal to approve all the 2005 EIP projects listed in Option Two, with the exception of the high-priority culverts (B-6), and provide \$45,000 in funding for the final Rock Creek design, was approved by consensus of the RCC.

Oct 26 Public Information Session

Following the RCC meeting agenda items, RCC members prepared for the Open House at 4 pm.

Future RCC Meetings and Proposed Agenda Items:

Friday, November 19, 2004, 12:00 pm to 12:30 pm Conference Call

Approve 8.3 Monitoring Plan

Monday, November 29, 2004, Conference Call

- Flow Subcommittee

Wednesday, January 26, 2005, Meeting

- Diane Barr to provide accounting of EIP funds

Adjourned

11/19/04 Conference Call Meeting Notes, approved 1/26/05
Resource Coordination Committee
North Umpqua Hydroelectric Project, FERC# 1927-008

RCC Members or Alternates Present

Craig Tuss	USFWS	Jim Wazlaw	PacifiCorp
Dennis Belsky	ODEQ	Marci Todd	BLM
Stephanie Burchfield	NOAA Fisheries	Ken Homolka	ODFW
Craig Kohanek	ODWR	John Sloan	USDA Forest Service

Also Present

Dave Harris	ODFW	Rich Grost	PacifiCorp
Bill O'Sullivan	BLM	Lois Schwennesen	Facilitator

Meeting Notes

The October 26, 2004 meeting notes were approved as amended by consensus of the RCC.

Approved - Monitoring Plan and Baseline Habitat Survey for the SA Section 8.3 Spawning Habitat Project:

The Section 8.3 Monitoring Plan was submitted for approval. PacifiCorp and the four agencies with approval authority, USDA Forest Service, ODFW, NOAA Fisheries, and USFWS, unanimously approved the plan. These agencies will sign today. Although not required by the Settlement Agreement, ODEQ, ODWR, and BLM also registered approval of the Monitoring Plan.

Proposal to Amend Signing Process:

Diane Barr proposed that RCC Members place their signatures on file with PacifiCorp for use in future signing processes, with specific measures in place to record and confirm each party's decision. As some RCC Members expressed reservations, an alternative proposal was made to use electronic signatures. This mechanism will be tested for the 8.3 Monitoring Plan signature process, and will be considered during the January 26 RCC meeting. RCC members were asked to look into their organization's capacity for sending their signature electronically and report back to Lois Schwennesen. If feasible based on those reports, Lois will draft revised ground rules for consideration January 26, 2005.

ODFW/PacifiCorp Mitigation Agreement of Oct 13, 2004:

The North Umpqua Executive Policy Group became involved in providing the required Federal assurances referred to in this agreement. Craig Tuss reported that Policy member Kemper McMaster will send the assurance letter representing USFWS and BLM today; John Sloan and Stephanie Burchfield and Craig Kohanek reported that the Forest Service, NOAA Fisheries, and Oregon Water Resources Department each will forward an electronic and/or hard copy of their letters to PacifiCorp today. Federal agencies asked that Federal parties be invited to participate in discussions on potential agreements that may affect their interests.

Next Meeting: Wednesday, January 26, 2005, ODFW, Roseburg

- Diane Barr to provide EIP progress presentation
- Ground Rules: signature process and general review

Adjourned

1/26/05 Meeting Summary, approved 2/25/05
RESOURCE COORDINATION COMMITTEE
NORTH UMPQUA HYDROELECTRIC PROJECT- FERC #1927-008

RCC Members or Alternates Present

Dennis Belsky	ODEQ	Dan Couch	BLM
Dave Harris	ODFW	John Sloan	USDA Forest Service
Jim Wazlaw	PacifiCorp	Dave Williams	OWRD

Also Present

Pam Sighting	USDA Forest Service	Rich Barney	PacifiCorp
Rich Grost	PacifiCorp	Mark Croissant	PacifiCorp
Mike Jones	USDA Forest Service	Lois Schwennesen	Facilitator

Notes:

Craig Tuss	USFWS, absent and proxy provided to John Sloan, Forest Service
Stephanie Burchfield	NOAA Fisheries, absent

Meeting Notes Approved

The November 19, 2004 conference call meeting notes were approved as amended by consensus of the RCC.

Early Implementation

Jim Wazlaw described the 2005 National Hydro Association Outstanding Stewardship of America's Rivers Award received for North Umpqua Early Implementation and Salmon Enhancement Projects, which are a shared effort with agencies. A press release will be available early April. The Early Implementation project reports for 2004 and 2005 were deferred to the RCC conference call on February 25.

Aquatics Update SA 7.2, 8.2, 8.3, 19.2

Rich Grost provided a power point overview of project activity, results of high flow events, next steps, expectations for the coming year, and fund balances.

Clearwater Reconnection Report SA 7.5, 10.3, Exhibit E

Rich Barney briefed the RCC on Settlement Agreement issues, conceptual project design options, and the alternative of interest to the small group of responsible RCC members (PacifiCorp, OWRD, ODFW, and Forest Service). The small group's primary concern was the SA requirement to pass "all flows" during high flow conditions. Dave Williams explained that OWRD would like RCC members review of the divergent structures and splitting the flow between Toketee and Clearwater Reconnect (flow splitting) from the technical aspects; and consensus from the RCC regarding the flow splitting concept as pertaining to Settlement Agreement language. If the RCC supports flow splitting for the Clearwater reconnect design, the group of four parties will continue to refine the design.

Following RCC discussion of the preferred project alternative and the project's consistency with the Settlement Agreement, John Sloan noted that he and Craig Tuss, for whom John held USFWS proxy, felt the issue the RCC must address is the overall intent of the SA, versus the literal wording of 10.3. John suggested it is possible to meet the intent and spirit of 10.3, even while not meeting the "all of the flows" literal wording.

Dave Williams inquired about the capacity, from an engineering perspective, to guarantee passage of large woody debris and gravel. He also inquired about the frequency with which flow splitting would exceed 75:25. Rich Grost checked Volume 11 of the Project's license application. He used the Clearwater flow duration curve from figure 4.3-10 to extrapolate that flows over 200cfs would take place about 2% of the time. The information was discussed and accepted as reasonable by the RCC, subject to Forest Service and ODFW checking in with their engineers over the next couple of days.

Action: Lois Schwennesen polled the RCC members regarding each member's support for the preferred conceptual design as the best outcome on flows that balances all needs addressed in the Settlement Agreement. The statement posed to the RCC for approval was: "The preferred conceptual design that allows flow splitting during high flows at Clearwater 2 best meets the overall intent of the Settlement Agreement, including the "all flows" language in 10.3 and Exhibit E, as well as other SA language related to passage of fish, amphibians, macroinvertebrates, sediment, and woody debris."

The RCC members present approved the statement above unanimously. Lois Schwennesen and/or Ken Homolka were asked to contact Stephanie Burchfield to seek NOAA Fisheries support of this action. *[On February 25, 2005, NOAA F confirmed support of the action through abstention].*

Points of Clarification:

1. Dennis Belsky asked ODFW whether the MOU would be considered consistent with the proposed action. Dave Harris replied that Ken Homolka and Rick Kepler (Executive Policy Group member) would simply need to inform the Commission of the RCC interpretation.
2. Jim Wazlaw wanted to be clear that details of the final design cannot affect substantially the footprint or the cost, as the project already is expected to double the \$250k originally estimated. Lois Schwennesen confirmed with the parties that support of the conceptual design meant that the final design would not change the diversion footprint, diversion elevations, or flow split (subject to #3 below). That said, Jim Wazlaw noted that consideration was being given by the engineers to a possible lift on dam height that could further reduce the flow splitting ratio, and while he could make no promises, PacifiCorp will do what it can.
3. Pam Sighting requested a few days for the Forest Service to check with staff on the new flow information. Dave Harris requested the same for ODFW. The parties agreed that final written approval will be provided to ODFW by Monday, January 31 in order to keep the project on schedule.

Plan Amendment or Plan Interpretation:

There are two possible approaches to informing FERC of the RCC's Settlement Agreement Interpretation noted above. One would be along the lines of a Memorandum of Agreement between the settlement parties. The second option is a formal plan amendment. John Sloan noted that an amendment was required by PacifiCorp for SA 8.3, as PacifiCorp chose to interpret that Section literally. John suggested it may be inconsistent with past practice if a plan amendment is not obtained and suggested the process used for 10.3 be similar to that used to amend 8.3. That process involved about 6 months of policy group and attorney time. Lois Schwennesen offered to discuss the flow splitting decision by the RCC with Policy Group members and report back to the RCC with options and/or next steps.

Work Group's Next Steps:

By Monday Jan 31 the Technical Work Group (OWRD, ODFW, USDA FS, and PacifiCorp) will sign off on the conceptual design based on the RCC direction that for Section 10.3, all flows can be interpreted flexibly in context of other factors. TWG agreement is "subject to" operations and other final conditions being satisfactory by the time of final design. Rich Barney will provide the TWG with a schedule to get to final design, and will more formally respond to the 8 comments in Craig Kohanek's December 22 email.

The RCC will hear a report on the TWG recommendation during the February 25 conference call and address remaining questions, if any, related to flow splitting.

Ground Rules Review and Update

RCC members reviewed and discussed key elements of the RCC ground rules adopted in 2002. Topics discussed included the signature process, Technical Work Group activities, conference calls, the definition of consensus, and RCC member attendance and participation.

Lois Schwennesen will develop tracked changes to the ground rules document based on today's RCC discussion. The resulting draft will be provided to RCC members for discussion and action at a future meeting.

Next Meeting: Conference Call February 25, 1:00 - 2:30 pm

Preliminary Agenda Topics:

- Small Group update on Clearwater Reconnect
- Flow Splitting interpretation and need for Settlement Agreement Amendment
- 2004 and 2005 Early Implementation Projects Report
- Ground Rules Update 2005

Meeting Adjourned

2/25/05 Conference Call Summary; Approved April 12, 2005
RESOURCE COORDINATION COMMITTEE
NORTH UMPQUA HYDROELECTRIC PROJECT- FERC #1927-008

RCC Members or Alternates Present

Diane Barr	PacifiCorp	Dennis Belsky	ODEQ
Stephanie Burchfield	NOAA Fisheries	Dave Harris	ODFW
Craig Kohanek	OWRD	Bill O'Sullivan	BLM
John Sloan	USDA Forest Service		

Also Present

Jim Wazlaw	PacifiCorp	Rich Barney	PacifiCorp
Lois Schwennesen	Facilitator		

Note:

Craig Tuss USFWS, absent and proxy provided to John Sloan, Forest Service

Meeting Notes Approved

The January 26, 2005 meeting notes were approved as amended by consensus of the RCC.

Bill O'Sullivan, BLM is now the RCC member representing BLM, replacing Marci Todd who will remain on the BLM caucus.

Small Group Update on Clearwater Reconnect

Rich Barney provided an update on the Clearwater Reconnect. The next small group meeting is March 1. There are three other tentative meetings scheduled to resolve remaining issues. John Sloan noted that the Forest Service reserves the right to review and provide comments on the design drawings within the next week, and that the Forest Services is now comfortable with PacifiCorp's response to Craig Kohanek's December 22, 2004 email summarizing agency issues. Dave Harris noted that ODFW has provided comments on PacifiCorp's February 23 draft, appreciates that PacifiCorp has included the detail requested during the last small group call, and expects further work to develop a mutually acceptable operations plan.

Settlement Agreement 10.3 and Flow Splitting

RCC members discussed how best to ratify and record the RCC decision on January 25, 2005 regarding the Clearwater Reconnect and the "all flows" language located in SA Section 10.3 [*"During high-flow periods when flows are spilling at Toketee Dam, all of the flows from the Clearwater River will be directed through the reconnected channel to the North Umpqua River."*] and Appendix E [*"...during high flow events, all of the water will be directed down the historical channel."*]. The two approaches discussed were:

- A Settlement Agreement (SA) amendment to be drafted by OWRD and PacifiCorp, then forwarded to Policy Group members for legal review and policy approval, or
- A Memorandum of Agreement drafted for RCC review by OWRD and PacifiCorp, signed by Policy Group members, and forwarded to the FERC on an informational basis.

Craig Kohanek stated that after consultation with their attorney, State agencies prefer an amendment. John Sloan and Dave Harris also stated their preference for an amendment, to be consistent with the parties' past choice to develop SA Amendment No. 1 related to Section 8.3.

Jim Wazlaw expressed concern about the short permitting and construction window. He preferred the MOA approach, noting that if an amendment was sent to FERC, it could require a license amendment which, in turn, would trigger procedures which could put the Clearwater

Reconnect construction timeline at risk. After discussion there was RCC consensus that given either approach, the SA parties must clearly articulate their intent and expectations to FERC regarding both the “all flows” interpretation and timeline needs regarding construction. Nevertheless, the majority of RCC members communicated their agency’s preference for a SA amendment.

Assuming Lois Schwennesen verifies that the Policy Group concurs with the SA amendment approach, **RCC members unanimously agreed** that the parties will expedite the amendment process due to construction timeline considerations and the fact that all eight settlement parties agree to a flexible interpretation of the existing “all flows” language (see RCC meeting notes of 1.26.05). In lieu of separate meetings of the attorney work group and associated scheduling complications, the RCC asked PacifiCorp to develop the draft SA Amendment in conjunction with OWRD’s attorney. Lois Schwennesen will then send the draft to the Policy Group with a copy to the RCC and request that individual Policy Group members, in consultation with his or her attorney, make the decision to approve and sign the document. If a problem arises, any Policy Group member will request, via Lois, a conference call to resolve the issue quickly.

2004 and 2005 Early Implementation Projects Reports

Diane Barr reported that the projection last September of \$372,000, total cost for 2004 EIP projects was slightly lower than the actual cost of \$384,000. In addition, the BLM noxious weed project that was anticipated to occur in the fall was proposed instead to occur in 2005. **RCC members unanimously approved a roll over of the funds for the BLM noxious weed program into the 2005 project list** with the understanding that this project is still a priority.

There is a current estimated shortage of \$46,000 in EIP funds for 2005. While it is preferred that the EIP projects use the annual funding rather than carry a balance, Diane Barr proposed that the RCC earmark a potential 2005 EIP project for potential cutting in the event of a deficit. After discussion, the **RCC unanimously agreed to postpone the decision to earmark a lowest priority project until firmer estimates are developed for 2005 EIP projects** in early spring (April-June) when more information will be available.

Ground Rules Review and Update

RCC members reviewed the most recent draft update (based on comments provided at the Jan. 26 meeting) of the RCC ground rules. Diane Barr requested a clarification of item G.5 to clarify that PacifiCorp has ultimate authority over changing facilitators or operating without a facilitator. Lois Schwennesen will revise the draft to reflect this discussion and send via email for RCC review prior to the April 12 conference call.

Next Meeting: Conference Call April 12, 2005, 3:00 - 4:30 pm;

Preliminary Agenda Topics:

1. Clearwater Reconnect status report and related Settlement Agreement issues
2. EIP update
3. Discuss, finalize and approve revised ground rules

Conference Call Adjourned

4/12/05 Conference Call Summary; Approved 6/1/05
RESOURCE COORDINATION COMMITTEE
North Umpqua Hydroelectric Project, FERC# 1927-008

RCC Members or Alternates Present

Diane Barr	PacifiCorp	Dennis Belsky	ODEQ
Stephanie Burchfield	NOAA Fisheries	Ken Homolka	ODFW
Craig Kohanek	OWRD	John Sloan	USDA Forest Service
Bill O'Sullivan	BLM		

Also Present

Rich Barney	PacifiCorp		
Rich Grost	PacifiCorp	Dave Harris	ODFW
Pam Sichting	USDA Forest Service	Jim Wazlaw	PacifiCorp
Stan Vejtasa	Citizen	Lois Schwennesen	Facilitator

Note: Craig Tuss RCC member USFWS, absent - proxy provided to John Sloan, Forest Service

Meeting Notes Approved

The February 25, 2005 meeting notes were approved as drafted by consensus of the RCC.

Clearwater Reconnect Status Report and Schedule

Rich Barney reported that the work group just held their last scheduled conference call and complimented the Agencies for their representation at the meetings. The final drawings, specifications and operations plans are expected out next week for approval. The Forest Service noted that they need these documents as soon as possible in order to expedite their review under SA 21.5. The Forest Service and Oregon Water Resources Department will complete their review simultaneously. PacifiCorp reported that once it receives the comments back, a determination will be made as to whether the technical work group needs to reconvene. Rich reported that the project is slightly behind schedule but although they are concerned about the deadline, they are not ready to establish a new deadline at this point.

SA Amendment 2: Clearwater Reconnect

Lois Schwennesen reported that over the last few months a series of conference calls and collaboration produced the draft Settlement Agreement Amendment provided to the RCC today. Jim Wazlaw stated that operations approval was removed from the draft Amendment and that PacifiCorp had agreed with the Forest Service that operations approval will be handled under the SA 21.5 review. It was noted that input from the Oregon Department of Fish and Wildlife will be obtained through collaboration with the Forest Service within the 21.5 review.

Next Steps to Finalize Amendment:

The Forest Service, OWRD and ODFW will determine within the next 24 hours if the SA Amendment language distributed today is acceptable. They will immediately inform Jim Wazlaw directly if there is something else that needs to be done to address any issues.

Assuming there are no additional issues from the Forest Service, OWRD, or ODFW, each remaining RCC member will become familiar with the proposed amendment and inform Lois Schwennesen within 48 hours whether you can support this amendment and recommend it to your Policy Group member.

We are seeking unanimous RCC recommendation to Policy Group. To streamline process and have a record, Lois will look for responses by email. When there is RCC consensus, Lois will distribute the proposed amendment to the Policy Group members, who will then review as needed with attorneys prior to signature.

2004 and 2005 Early Implementation Projects Report

Asbestos Pipe Removal: Diane Barr reported that the bids from the asbestos pipe removal ranged from \$22,000 to \$136,000. The next step is to develop the scope of the site restoration work that will affect the cost. The estimated cost at this time is \$40,000.

Road Decommissioning Inside Project Boundary: Further scoping is needed. \$11,000 was the original projection for scoping costs but the estimate may be low. It will be easier to estimate the actual cost once the scope of the site work is developed.

Noxious Weed Removal: The money for noxious weed removal has been sent to the BLM. The money will be used to treat 75 acres.

Rock Creek: Dave Harris reported that ODFW, BLM, PacifiCorp and the engineering staff received an update on the plans and designs and discussed funding.

Wildlife Crossings: All existing crossings have been expanded and PacifiCorp will work with the Agencies to determine where new crossings should be located. A draft proposal will be provided for review within 45 days. The Agencies will need 45-90 days to complete the review. Once the priority crossings are identified, work on those crossings will begin and a schedule will be developed.

Erosion Control Projects: Project Plans should be ready to review within 45-50 days.

Road Decommissioning Outside Project Boundary: PacifiCorp is finalizing the design plans and will discuss the submission to FERC tomorrow. This is a one-time project outside the project boundary.

Budget: Diane Barr noted that the fiscal year ended March 31. Final budget numbers will be completed within the next 30 days.

Other: PacifiCorp will initiate a call this Thursday, April 14, with the Forest Service to discuss ongoing projects.

Role of Technical Work Groups

Pam Sichting initiated discussion of technical work groups and how they are created and charged by the RCC. Following discussion, it was agreed that Section 4 of the Ground Rules should recognize that technical workgroups are created a number of different ways and describe the responsibilities of PacifiCorp and the Agencies when these groups are activated. It was also noted that Item J does not clearly articulate the role of the TWG.

Pam Sighting and Diane Barr agreed to provide proposed Ground Rule revisions to Lois Schwennesen for inclusion in a final draft for RCC for consideration prior to the next meeting.

Public Participation

Public participation in technical work groups was discussed. The RCC agreed that while the RCC is open to the public and the public is not restricted from attending technical work groups, the best way to provide information to the public about these smaller work groups is through reports during the RCC meetings. The RCC agreed that the Ground Rules should contain a general statement of intent that public participation is encouraged but not attempt to specify details.

Pam Sighting and Diane Barr agreed to provide draft language to Lois to include in the final Ground Rules draft for adoption at the next RCC meeting.

Action Item: Adopt Updated Ground Rules 2005

Proposed updates and edits provided by RCC members and included in the draft under discussion April 12 were acceptable to the RCC. Because of the decision to include additional language in the Ground Rules related to technical work groups, public participation, and the consensus decision process the RCC postponed adopting the updated Ground Rules until June 1, 2005.

Next Meeting: June 1, 2005, 1:00 pm – 3:30 pm; ODFW Roseburg.

Preliminary Agenda Topics:

1. Adopt Updated Ground Rules
2. Review final Settlement Agreement Amendment 2: Clearwater Reconnect
3. Annual Report 2005

Note: The RCP will hold their meeting in the morning with the RCC meeting to follow.

Conference Call Adjourned

APPENDIX D

2004 Early Implementation Project Photos



FIGURE D-1
Fish Creek Site FC-3B Tributary Reconnect



FIGURE D-2
Fish Creek Site FC-3A Tributary Reconnect



FIGURE D-3
Fish Creek EC Site FC-1 Wall Padding



FIGURE D-4
Lemolo 1 — New Wildlife Crossing



FIGURE D-5
Lemolo 1 — New Big Game Overpass Site 1



FIGURE D-6
Lemolo 1 — New Big Game Overpass Site 1



FIGURE D-7
Clearwater 1 — New Big Game Underpass Site 7



FIGURE D-8
Burma Road Near Instream Flow Gage



FIGURE D-9
Burma Road Near Instream Flow Gage



FIGURE D-10
Burma Road — EC Site LM2-23



FIGURE D-11
Burma Road — EC Site LM2-23



FIGURE D-12
Bridge Maintenance U-07



FIGURE D-13
Bridge Maintenance U-08



FIGURE D-14
Bridge Maintenance U-09



FIGURE D-15
Burma Road — Near EC Site LM2-20



FIGURE D-16
Laura Creek Culvert



FIGURE D-17
LM2-17 Nurse Creek Culvert



FIGURE D-18
Burma Road — Near Sag Pipe



FIGURE D-19
Burma Road — Slide Remediation Near Patricia Creek



FIGURE D-20
Patricia Creek Culvert



FIGURE D-21
Burma Road — Near Patricia Creek



FIGURE D-22
Spotted Owl Creek



FIGURE D-23
Spotted Owl Creek



FIGURE D-24
Deer Creek Slide — Before



FIGURE D-25
Deer Creek Slide — After

APPENDIX E

Detailed Accounting

RCC REPORTING 2004-2005

SA 8.3 North Umpqua River Habitat Restoration/Creation Project

Date	Item	Amount	Balance
2002	Settlement Agreement Allocation	\$410,000	\$410,000
2002	Expenditures	\$0	\$410,000
2002	Remaining Balance		\$410,000
2003	Escalation (as per SA 22.4.4)	\$3,132	\$413,132
2003	Opening Balance		\$413,132
2003	Expenditures		
	Aug 2003 - Feasibility Report (Stillwater)	(\$46,035)	\$367,097
	Dec 2003 - RAT support for design visit (USFS)	(\$576)	\$366,521
	Dec 2003 - Provide survey data, review admin. (Stillwater)	(\$729)	\$365,792
2003	Remaining Balance		\$365,792
2004	Escalation (as per SA 22.4.4)	\$5,853	\$371,645
2004	Opening Balance		\$371,645
2004	Expenditures		
	Jan 2004 - NEPA for construction (USFS)	(\$14,789)	\$356,856
	Jan 2004 - Design review+Jan 15 conf. call (Stillwater)	(\$963)	\$355,893
	Mar 2004 - DSL permit application fee for construction	(\$450)	\$355,443
	July/Aug 2004 - Baseline habitat survey + post-construction survey	(\$6,540)	\$348,903
	July 2004 - Permeability pack	(\$1,750)	\$347,153
	Aug 2004 - Total construction costs (materials, labor, equipment)	(\$78,223)	\$268,930
	2004 Miscellaneous Charges	(\$51)	\$268,879
	2004 Miscellaneous Credit	\$51	\$268,930
	2004 Labor Charge	(\$22,172)	\$246,758
	2004 Labor Credit	\$22,172	\$268,930
	2004 AFUDC (Interest) Expense	(\$782)	\$268,148
	2004 AFUDC Credit	\$782	\$268,930
	2004 Construction Overheads Charge	(\$15,651)	\$253,279
	2004 Construction Overheads Credit	\$15,651	\$268,930
2004	Remaining Balance		\$268,930
2005	Escalation (as per SA 22.4.4)	\$3,765	\$272,695
2005	Opening Balance		\$272,695
2005	Expenditures (to date)	\$0	\$272,695

Services Donated

PacifiCorp: technical assistance in design, plan writing, baseline survey, monitoring, maintenance planning and permitting

Agencies: technical assistance in design, plan review, baseline survey, monitoring, maintenance planning (current level)

PacifiCorp: engineering / drafting of construction drawings (if needed)

Agencies: technical effort associated with gage relocation

PacifiCorp: technical effort associated with gage relocation

PacifiCorp: comtech labor associated with gage relocation (make equipment and communications work)

PacifiCorp: hydrology services required to re-rate new gage location

USFS: RAT support for design (and construction oversight?)

USFS: logs for weirs

PacifiCorp: AFUDC (interest) & construction overheads (internal fees)

PacifiCorp: Misc. charges (Cookhouse, Bank charge for Permit fee)

Note: Gravel for upper pool weir (200 cy 7 times over license term) funded by SA 7.2.

Updated 5/27/05

RCC REPORTING 2004-2005

SA 19.2 Long Term Monitoring and Predator Control

Date	Item	Costs	Balance
2004	Initial funding		\$20,954
2004	Expenditures		
	Oct 2004 - MaxDepth hydroacoustic survey Soda Springs reservoir Sep 04, draft report to TWG	(\$7,364)	\$13,590
	Nov 2004 - LAWES assistance with fish sampling Oct 04	(\$1,023)	\$12,567
	2004 Labor Charge	(\$1,590)	\$32,355
	2004 Labor Credit	\$1,590	\$33,945
2004	Interest Earned	\$130	\$12,697
2004	Remaining Balance		\$12,697
2005	Annual funding	\$21,248	\$33,945
2005	Expenditures (to date)	\$0	\$33,945

Services Donated

PacifiCorp: Labor

Updated 5/27/05

RCC REPORTING 2004-2005

7.2 Gravel Augmentation

Date	Item	Amount	Balance
2002	Settlement Agreement Allocation	\$175,000	\$175,000
2002	Expenditures	\$0	\$175,000
2002	Remaining Balance		\$175,000
2003	2003 Escalation (as per SA 22.4.4)	\$1,337	\$176,337
2003	Opening Balance		\$176,337
2003	Expenditures		
	Jan 2003 - Implementation Plan support (Stillwater)	(\$582)	\$175,755
	Feb 2003 - Implementation Plan support (Stillwater)	(\$6,365)	\$169,390
	Mar 2003 - Implementation Plan draft (Stillwater assistance)	(\$2,148)	\$167,242
	April 2003 - Monitoring Plan support (Stillwater)	(\$840)	\$166,402
	Nov 2003 - DSL permit app fee for pulse exp.	(\$450)	\$165,952
2003	Remaining Balance		\$165,952
2004	2004 Escalation (as per SA 22.4.4)	\$2,655	\$168,607
2004	Opening Balance		\$168,607
2004	Expenditures		
	Jan 2004 - NEPA for pulse experiment (USFS)	(\$3,246)	\$165,361
	June 2004 - Monitoring Plan/Gravel Pulse support (Stillwater)	(\$201)	\$165,160
	July 2004 - Implementation/Monitoring/Gravel Pulse support (Stillwater)	(\$1,547)	\$163,613
	Aug 2004 - 3000 cy gravel, delivery and placement of gravel pulse	(\$97,326)	\$66,287
	Oct 2004 - USFS W+S determination costs	(\$3,061)	\$63,226
	Fall 2004 - Base monitoring: aerial basemap/video, river patch descriptions	(\$14,107)	\$49,119
	2004 Labor Charge	(\$4,695)	\$44,424
	2004 Labor Credit	\$4,695	\$49,119
2004	Remaining Balance		\$49,119
2005	2005 Escalation (as per SA 22.4.4)	\$688	\$49,807
2005	Opening Balance		\$49,807
2005	Expenditures (to date)	\$0	\$49,807

Services Donated:

PacifiCorp: technical assistance in design, plan writing, monitoring, maintenance planning and permitting

Agencies: technical assistance in design, plan review, monitoring, maintenance planning

PacifiCorp: watercraft for monitoring navigation

Updated: 5/27/05





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