

North Umpqua Hydroelectric Project
FERC Project No. 1927

RESOURCE COORDINATION PLAN



Prepared By:

PacifiCorp Energy
Portland, Oregon
and
EDAW, Inc.
Seattle, Washington

In Consultation With:

USDA Forest Service, Pacific Northwest Region, Umpqua National Forest
USDI Bureau of Land Management, Roseburg District
USDI Fish and Wildlife Service
NOAA National Marine Fisheries Service
Oregon Department of Environmental Quality
Oregon Department of Fish and Wildlife
Oregon Water Resources Department

July 31, 2006





**North Umpqua Hydroelectric Project
FERC Project No. 1927**

RESOURCE COORDINATION PLAN

Prepared by:

PacifiCorp Energy
Portland, Oregon
and
EDAW, Inc.
Seattle, Washington

In Consultation With:

USDA Forest Service,
Pacific Northwest Region,
Umpqua National Forest

USDI Bureau of Land Management,
Roseburg District

USDI Fish and Wildlife Service

NOAA National Marine Fisheries Service

Oregon Department of Environmental Quality

Oregon Department of Fish and Wildlife

Oregon Water Resources Department

July 31, 2006

Resource Coordination Plan (Plan):

In Consultation and Support by:

John J. Sloan 7/19/06
Name Date

USDA Forest Service, Pacific Northwest
Region, Umpqua National Forest

Daniel E. Couch 7/19/06
Name Date

USDI Bureau of Land Management,
Roseburg District

Craig A. Russ 7/20/06
Name Date

USDI Fish and Wildlife Service

Stephanie Burdfield 8/2/06
Name Date

NOAA National Marine Fisheries Service

Dennis Belsky 7/19/06
Name Date

Oregon Department of Environmental
Quality

David A. Harris 7/19/06
Name Date

Oregon Department of Fish and Wildlife

Ronald C. Kolb 7/27/06
Name Date

Oregon Water Resources Department

Mark 7/19/06
Name Date

PacifiCorp Energy

EXECUTIVE SUMMARY

PacifiCorp Energy is the operator of the North Umpqua Hydroelectric Project, Federal Energy Regulatory Commission (FERC) Project No. 1927 (Project). PacifiCorp Energy has prepared this Resource Coordination Plan (Plan, or RCP) in accordance with the terms of the June 13, 2001, North Umpqua Hydroelectric Project Settlement Agreement (SA) among PacifiCorp Energy and the U.S. Department of Agriculture, Forest Service (USDA-FS); U.S. Department of the Interior, Bureau of Land Management (USDI-BLM); USDI Fish and Wildlife Service (USDI-FWS); National Oceanic and Atmospheric Administration, National Marine Fisheries Service (NOAA-NMFS); Oregon Department of Environmental Quality (ODEQ); Oregon Department of Fish and Wildlife (ODFW); and Oregon Water Resources Department (OWRD). The 1995 license application included a draft version of the Plan. FERC issued a new license for the Project on November 18, 2003, for a term of 35 years, adopting in



large part the requirements of the SA (FERC 2003a). The license became final under the terms of the SA on October 18, 2005. Section 21.1 of the SA requires that PacifiCorp Energy finalize this Plan.

This Plan describes four types of implementation that require agency review and approval and sometimes permitting. The various roles, responsibilities, and processes used to implement these various actions are discussed in the Plan. These four types of implementation include:

- SA protection, mitigation, and enhancement measures (PM&Es);
- Other license requirements, such as USDA-FS and USDI-BLM Final Terms and Conditions under Section 4(e) of the Federal Power Act (FPA);
- Clean Water Act (CWA) Section 401 water quality certification requirements; and
- Generation and transmission line (T-line) operations-related construction and rehabilitation projects, including operations and maintenance (O&M).

A primary purpose of the Plan is to help coordinate and facilitate implementation of PM&Es identified in the SA and in the License Order. As such, this “Umbrella Plan” organizes PM&Es and their component tasks to be implemented and defines the processes used to implement them. The Plan also

coordinates all of the individual resource-specific management plans identified in the SA (including Amendments 1 and 2) and License Order, as well as individual PM&Es not specifically covered within a particular resource-specific management plan.

Key to the Plan's coordination efforts is a Resource Coordination Summary Matrix (Exhibit E). This matrix lists all PM&Es in the SA and License Order by SA section number and title or description. PM&Es are further categorized into four resource management categories - Aquatic, Terrestrial, Other Land-based Management, and All Resources. These four resource management categories are further divided into several implementation topics for quick reference: Operations, Maintenance, Construction, Resource Protection Fund Payments, Long-Term Monitoring, Plans, Designs, and Evaluations. Project operations requirements relate to issues such as ramping rates, water quality, flow releases, minimum flows, and operational data reporting that PacifiCorp Energy will coordinate. Project maintenance requirements that will be coordinated by PacifiCorp Energy include several maintenance actions in resource-specific management plans, as well as Project facility maintenance activities not directly identified but implied in the SA (SA Section 21) involving individual agency review and coordination. Construction projects that will be monitored are divided into three categories: early implementation projects, date-certain implementation projects, and license-dependent implementation projects. Resource protection fund payments are required in the SA and are planned and made by PacifiCorp Energy on an annual basis. Exhibit E describes long-term monitoring activities defined in individual monitoring PM&Es, as well as resource-specific management plans. Finally, a number of plans, designs, and evaluations are defined in the SA and License Order and are summarized in Exhibit E.

The Plan is intended to be used primarily by PacifiCorp Energy, Resource Coordination Committee (RCC) members, and individual agencies. PacifiCorp Energy will update and/or revise this Plan annually, if needed, to serve these user groups as an ongoing coordination and reference tool. The Plan's summary matrix (Exhibit E), for example, will be updated annually as PM&Es are implemented and completed or as conditions change. As such, the Plan is a living document. The Plan may change mediums over time and will adapt as needed to meet the needs of the RCC and PacifiCorp Energy.

The Plan is structured as follows:

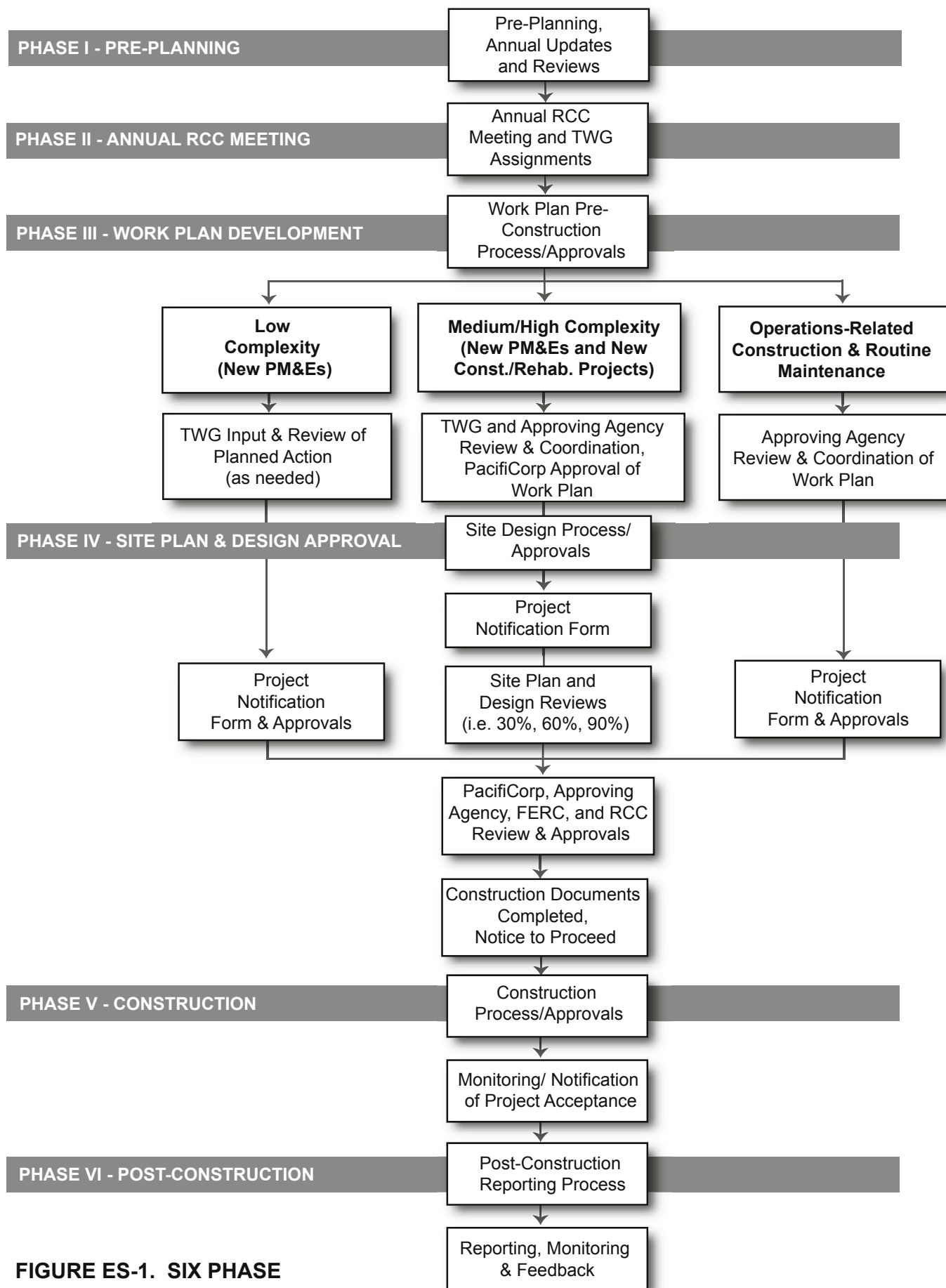
- Section 1.0 describes the purpose and intent of the Plan, hierarchy of the Plan, role of the RCC, Plan goals, terms and definitions used in the Plan, and summarizes how the PM&Es are categorized in the Plan.

- Section 2.0 describes the regulatory framework, responsible authorities and jurisdictions relevant to the Plan, and the hierarchy of documents and authorities.
- Section 3.0 describes the relationship of this Plan with the several other plans developed per the SA and License Order, including those with annual reporting requirements.
- Section 4.0 describes the methods of coordination in the Plan, including the RCC, staffed positions, developed plans, web-based tools and applications, and public outreach.
- Section 5.0 describes the four types of implementation that require agency review and approval and sometimes permitting. This includes SA PM&E implementation, other license requirements such as FPA Section 4(e) Final Terms and Conditions, CWA Section 401 water quality certification requirements, and generation and T-line operations-related construction and rehabilitation projects. In addition, this section describes notification requirements, monitoring and reporting, and mapping and database management.
- Section 6.0 discusses the procedures for how the Plan may be updated and revised by PacifiCorp Energy and the RCC as needed over the term of the new license.
- Section 7.0 presents the references used in the Plan.
- An Exhibit section is provided to be used by RCC members and PacifiCorp Energy over time, and includes exhibits such as RCC Ground Rules, Coordination Calendar, Resource Coordination Summary Matrix, a form used to initially plan and coordinate new projects and seek approvals prior to their start (Work Plan), a Project Notification Form used to coordinate appropriate signatures and approvals as a project goes through the site planning and design phase, a Memorandum of Understanding (MOU) regarding compliance with the National Environmental Policy Act (NEPA) and related letters exchanged between PacifiCorp Energy and the USDA-FS, and Contractor Terms and Conditions to be used by PacifiCorp Energy on National Forest System (NFS) land.

The Plan also defines a process for construction-related activities including review and approval requirements for construction-related PM&Es, as well as ongoing power generation and T-line operations-related construction and rehabilitation projects. This process is summarized in Figure ES-1 and includes a series of phases, work flow steps within each phase, and products to be prepared, reviewed, and/or approved during each phase. Responsibilities differ by phase and task.

These six phases (I through VI) include:

- Phase I – Pre-Planning
- Phase II – Annual RCC Meeting
- Phase III – Work Plan Development
- Phase IV – Site Plan and Design Approval
- Phase V – Construction
- Phase VI – Post-Construction



**FIGURE ES-1. SIX PHASE
PROCESS FOR CONSTRUCTION
PROJECT IMPLEMENTATION**

Back of Figure ES-1 here (8.5x11).

TABLE OF CONTENTS

Executive Summary	ES-1
Acronyms and Abbreviations.....	iv
1.0 Introduction.....	1
1.1 Purpose	1
1.2 Plan Structure.....	5
1.3 Resource Coordination Committee	6
1.4 Plan Goals	6
1.5 Terms and Definitions.....	7
2.0 Regulatory Framework, Responsibilities, and Hierarchy	13
2.1 Regulatory Framework	13
2.2 Roles and Responsibilities of Parties	14
2.2.1 PacifiCorp Energy and the Environmental Coordinator	14
2.2.2 Executive Policy Group	15
2.2.3 Resource Coordination Committee	15
2.2.4 USDA Forest Service.....	18
2.2.5 USDI Bureau of Land Management.....	20
2.2.6 USDI Fish and Wildlife Service	21
2.2.7 NOAA National Marine Fisheries Service	21
2.2.8 State of Oregon, Department of Environmental Quality	22
2.2.9 State of Oregon, Department of Fish and Wildlife.....	22
2.2.10 State of Oregon, Water Resources Department.....	22
2.2.11 Other Non-RCC Agencies and Stakeholders.....	22
2.3 Hierarchy of Documents and Authorities	23
3.0 Relationship to Other Plans	25
3.1 Summary of Required Plans	25
3.2 Plans Requiring Annual Coordination	25
4.0 Methods of Coordination	29
4.1 RCC Structure.....	29
4.1.1 RCC Plenary.....	30
4.1.2 RCC Technical Working Groups	32
4.2 RCC and Other Coordination Meetings.....	33
4.3 Coordination with Individual Agencies	33
4.4 Staffed and Assigned Positions	34
4.5 Resource-Specific Management Plan Implementation	35
4.6 Individual PM&E Implementation.....	36
4.7 Electronic and Web-based Tools and Applications.....	36
4.8 Public Outreach and Community Involvement.....	36

TABLE OF CONTENTS (continued)

5.0 Implementation Actions, Approvals, and Permitting.....	39
5.1 Types of Implementation Actions	39
5.1.1 SA PM&Es.....	39
5.1.2 Other License Requirements.....	42
5.1.3 CWA Section 401 Water Quality Certification Requirements	43
5.1.4 Generation and Transmission Line Operations-Related Construction and Rehabilitation Projects.....	44
5.2 Review and Approval Processes.....	45
5.2.1 SA PM&Es.....	46
5.2.2 Generation and Transmission Line Operations-Related Construction and Rehabilitation Projects	61
5.2.3 Other License Requirements.....	67
5.2.4 CWA Section 401 Water Quality Certification Requirements	68
5.3 Monitoring and Reporting.....	69
5.4 Notification Requirements	70
5.5 Mapping and Database Management	73
6.0 Plan Revisions and Updates	75
6.1 Rationale for Making Revisions.....	75
6.2 Frequency of Updates	75
7.0 References	77

EXHIBITS

A	Settlement Agreement Regarding the Plan and RCC
▪	Original Settlement Agreement, Section 21 (June 2001) and Explanatory Statement (June 2001)
▪	Settlement Agreement Amendment No. 1 (November 2002) and Explanatory Statement (January 2003)
▪	Settlement Agreement Amendment No. 2 (July 2005)
B	FERC License Order (License Articles)
C	Resource Coordination Committee Members Contact List
D	Resource Coordination Committee Ground Rules
E	Resource Coordination Summary Matrix
F	Coordination Calendar
G	Work Plan
H	Project Notification Form
I	NEPA MOU and Letters Exchanged
J	Contractor Terms and Conditions

TABLES

Table 3.1-1	Plans Referenced in the RCP	26
Table 4.2-1	Planned Coordination Meetings	34
Table 5.2-1	Examples of Typical General Maintenance Activities.....	64
Table 5.2-2	Examples of Typical Major Maintenance and Construction Activities	66
Table 5.3-1	Reporting Actions and Schedule	71
Table 5.4-1	Summary of Notification Requirements.....	72

FIGURES

Figure ES-1	Six Phase Process for Construction Project Implementation	ES-5
Figure 1.1-1	Plan Structure	3
Figure 4.1-1	RCC Structure	31
Figure 5.2-1	Six Phase Process for Construction Project Implementation	49
Figure 5.2-2	Process for New PM&E and Operations-Related Construction Project Implementation.....	51

ACRONYMS AND ABBREVIATIONS

10(j)	Section 10(j) of the Federal Power Act, recommendations of federal and state fish and wildlife agencies
4(e)	Section 4(e) of the Federal Power Act, Final Terms and Conditions of the USDA-FS and USDI-BLM
4wd	4-wheel drive
AMP	Aesthetics Management Plan
ATV	all-terrain vehicle
cfs	cubic feet per second
CSD TWG	Canal Shut-off and Drainage Technical Working Group
CWA	Clean Water Act
DO	dissolved oxygen
EC	Environmental Coordinator
ECP	Erosion Control Plan
EIP	Early Implementation Project
EMS	Environmental Management System
ESA	Endangered Species Act
FEIS	Final Environmental Impact Statement
FERC	Federal Energy Regulatory Commission
FHS TWG	Fish Habitat and Studies Technical Working Group
FLRMP	Forest Land and Resource Management Plan, Umpqua National Forest
FMC	Food Machinery Corporation
FMP	Fire Management Plan
FPA	Federal Power Act
FPA 4(e) T&C	Federal Power Act 4(e) Terms & Conditions
FPD TWG	Fish Passage Design Technical Working Group
F&R TWG	Flows and Ramping Technical Working Group
GIS	Geographic information system
HPMP	Historic Properties Management Plan
L2R TWG	Lemolo No. 2 Reroute (Stinkhole) Technical Working Group
MOU	Memorandum of Understanding
NEPA	National Environmental Policy Act
NFS	National Forest System
NHPA	National Historic Preservation Act
NOAA-NMFS	National Oceanic and Atmospheric Administration, National Marine Fisheries Service
O&M	operations and maintenance
ODEQ	Oregon Department of Environmental Quality
ODFW	Oregon Department of Fish and Wildlife
ODSL	Oregon Department of State Lands
OWRD	Oregon Water Resources Department
PacifiCorp Energy	Licensee
Parties	Signatories of the Settlement Agreement

ACRONYMS AND ABBREVIATIONS (continued)

Plan	Resource Coordination Plan
Plenary	Resource Coordination Committee, meeting as an entire committee
PM&Es	Protection, mitigation, and enhancement measures
Project	North Umpqua Hydroelectric Project, FERC No. 1927
RCC	Resource Coordination Committee
RCP	Resource Coordination Plan
RCP TWG	Resource Coordination Plan Technical Working Group
RMP	Resource Management Plan, BLM Roseburg District
ROW	right-of-way
RRMP	Recreation Resource Management Plan
SA	Settlement Agreement
SHPO	State Historic Preservation Office
T-Line	Transmission Line
TER TWG	Terrestrial Technical Working Group
TMDL	Total Maximum Daily Load (maximum amount of a pollutant that a waterbody can receive and still meet water quality standards set by States, Territories, and Tribes under CWA Section 303)
TMP	Transportation Management Plan
TWG	Technical Working Group, a subgroup of the Resource Coordination Committee
USDA-FS	U.S. Department of Agriculture, Forest Service
USDI-BLM	U.S. Department of Interior, Bureau of Land Management
USDI-FWS	U.S. Department of Interior, Fish and Wildlife Service
VMP	Vegetation Management Plan
W&SR	Wild and Scenic River

1.0 INTRODUCTION

PacifiCorp Energy is the licensee and operator of the North Umpqua Hydroelectric Project, Federal Energy Regulatory Commission (FERC) Project No. 1927 (Project). PacifiCorp Energy has prepared this Resource Coordination Plan (Plan, or RCP) in response to the terms of the June 13, 2001, North Umpqua Hydroelectric Project Settlement Agreement (SA) among PacifiCorp Energy and the U.S. Department of Agriculture, Forest Service (USDA-FS); U.S. Department of the Interior, Bureau of Land Management (USDI-BLM); USDI Fish and Wildlife Service (USDI-FWS); National Oceanic and Atmospheric Administration, National Marine Fisheries Service (NOAA-NMFS); Oregon Department of Environmental Quality (ODEQ); Oregon Department of Fish and Wildlife (ODFW); and Oregon Water Resources Department (OWRD). The 1995 license application included a draft version of the Plan (PacifiCorp 1995). FERC issued a new license for the Project on November 18, 2003, for a term of 35 years, and the License Order became final, as that term is defined in the SA, on October 18, 2005. Section 21.1 of the SA requires PacifiCorp Energy to finalize this Plan.

1.1 Purpose

A primary purpose of this Plan is to help coordinate and facilitate implementation of protection, mitigation, and enhancement measures (PM&Es) identified in the SA (including Amendments 1 and 2) and the License Order. A secondary function of the Plan is to facilitate coordination of ongoing Project operations and maintenance (O&M) related construction activities. As such, the Plan clarifies the PM&Es and component tasks to be implemented, the timing of their implementation, the processes used to implement them, and anticipated meetings that would be needed each year. The Plan also defines and coordinates all of the individual resource-specific management plans identified in the SA and License Order, as well as individual PM&Es not specifically covered within a



particular resource-specific management plan. Nothing in this Plan is intended to modify or supersede the SA, as amended (Exhibit A), or the License Order (Exhibit B).

The Plan's framework as an "Umbrella Plan" is graphically depicted in Figure 1.1-1. In addition, this Plan describes four types of implementation that require agency review and approval and sometimes permitting. The various roles, responsibilities, and processes used to implement

these various actions are discussed in the Plan. These four types of implementation include:

- SA protection, mitigation, and enhancement measures (PM&Es);
- Other license requirements, such as USDA-FS and USDI-BLM Federal Power Act (FPA) Section 4(e) Terms and Conditions;
- Clean Water Act (CWA) Section 401 water quality certification requirements; and
- Generation and transmission line (T-line) operations-related construction and rehabilitation projects, including operations and maintenance (O&M).

PacifiCorp Energy intends to update this Plan annually, if needed, to serve as an ongoing coordination and reference tool. For example, the Plan's Resource Coordination Summary Matrix (Exhibit E) will be updated annually as PM&Es are implemented and completed or as conditions change. As such, the Plan is a living document. It is intended that the Plan will change mediums over time and will adapt as needed to meet the needs of the Resource Coordination Committee (RCC) and PacifiCorp Energy.

Key to the Plan's coordination efforts is a Resource Coordination Summary Matrix (Exhibit E). All specific PM&Es defined in the SA and License Order are included in Exhibit E. These PM&Es are listed by SA section, title of the planned action, License Order reference number, and other detailed information. This other information includes the level of complexity of the action, target dates for completion, the level of consultation frequency, the agencies involved in each action, and other clarifying notes. For sorting purposes, each planned action is also divided into natural resource types (Aquatics, Terrestrial, Other Land-Based Management, and All Resources), as well as several implementation topics (Operations, Maintenance, Construction, Long-Term Monitoring, Resource Protection Fund Payments, Plans, Designs, and Evaluations).

In summary, the Plan provides four broad functions including:

- Clarification of four types of implementation and their actions, approvals, and permitting by PacifiCorp Energy, the RCC, and/or individual agencies;
- Coordination and facilitation of PM&E implementation and ongoing Project O&M and related construction activities by PacifiCorp Energy and the RCC;
- Provision of a technical forum for the RCC and PacifiCorp Energy to discuss design and resource protection and enhancement solutions; and
- Mechanism for providing periodic updates of the Plan, including annual updates of Exhibit E.

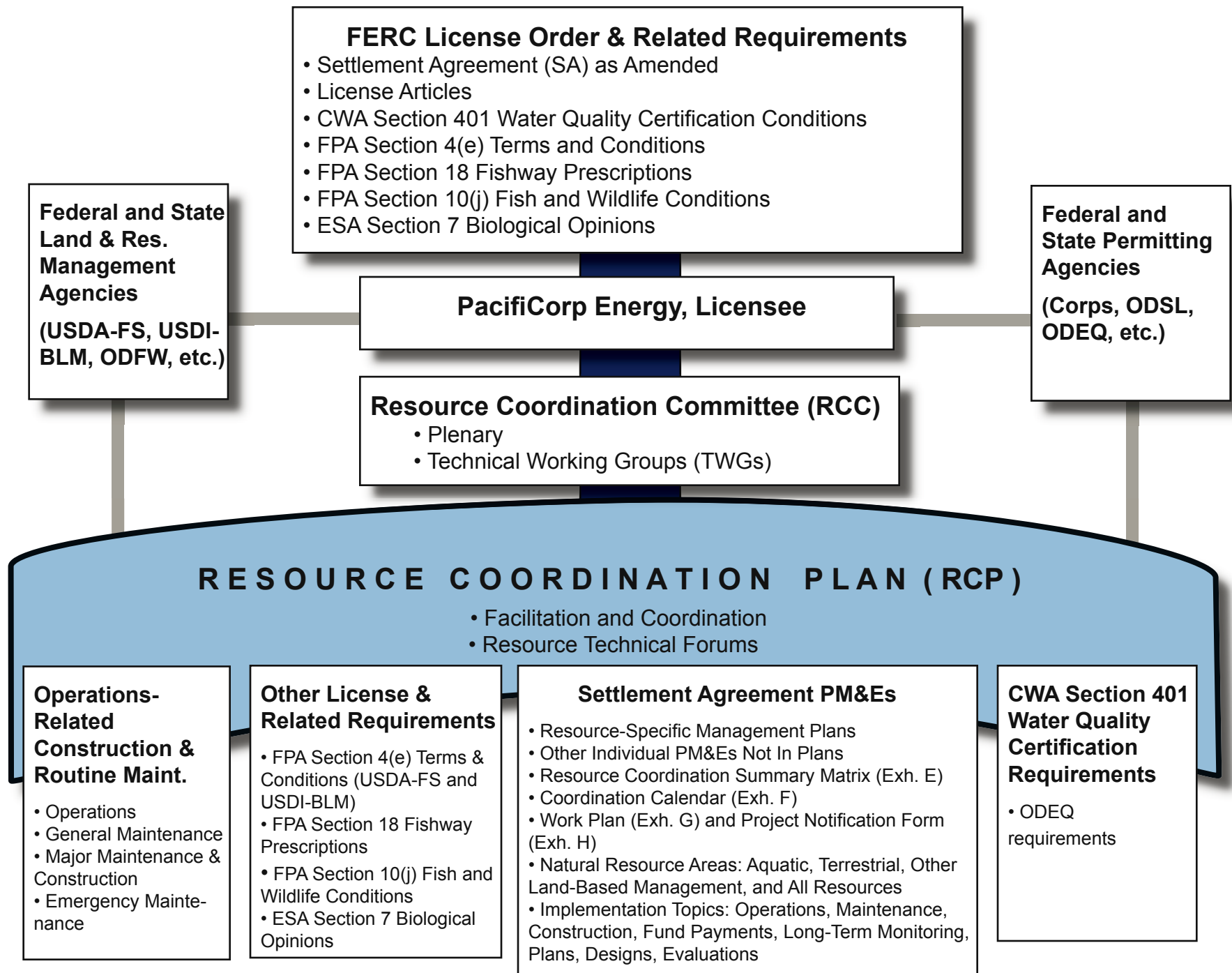


FIGURE 1.1-1. PLAN STRUCTURE

Back of figure 1.1-1

1.2 Plan Structure

The Plan is structured as follows:

- Section 1.0 describes the purpose and intent of the Plan, hierarchy of the Plan, role of the RCC, Plan goals, terms and definitions used in the Plan, and summarizes how the PM&Es are categorized in the Plan.
- Section 2.0 describes the regulatory framework, responsible authorities and jurisdictions relevant to the Plan, and the hierarchy of documents and authorities.
- Section 3.0 describes the relationship of this Plan with the several other plans developed per the SA and License Order, including those with annual reporting requirements.
- Section 4.0 describes the methods of coordination in the Plan, including the RCC, staffed positions, developed plans, web-based tools and applications, and public outreach.
- Section 5.0 discusses the four types of implementation that require agency review and approval and sometimes permitting. These include SA PM&E implementation, other license requirements such as FPA Section 4(e) Final Terms and Conditions, CWA Section 401 water quality certification requirements, and generation and T-line operations-related construction and rehabilitation projects. In addition, this section describes notification requirements, monitoring and reporting, and mapping and database management.
- Section 6.0 discusses the procedures for how the Plan may be updated and revised by PacifiCorp Energy and the RCC as needed over the term of the new license.
- Section 7.0 identifies references used in the Plan.
- An Exhibit section is provided to be used by RCC members and PacifiCorp Energy over time, and includes exhibits such as RCC Ground Rules, Coordination Calendar, Resource Coordination Summary Matrix, a form used to plan and coordinate new projects and seek approvals prior to their start (Work Plan), a Project Notification Form used to coordinate appropriate signatures and approvals as a project goes through the site planning and design phase, a Memorandum of Understanding (MOU) regarding compliance with the National Environmental Policy Act (NEPA) and related letters exchanged between PacifiCorp Energy and the USDA-FS, and Contractor Terms and Conditions to be used by PacifiCorp Energy on National Forest System (NFS) land.

1.3 Resource Coordination Committee

The RCC was created and authorized by Section 21 of the SA and confirmed by FERC in the License Order (Exhibits A and B). RCC membership is comprised of the signature Parties to the SA; Exhibit C lists the membership of the RCC.

As PacifiCorp Energy implements the SA and License Order, it will coordinate its actions with the RCC and with individual agencies. The RCC will facilitate this implementation by making collective decisions when necessary regarding specific PM&Es. The RCC structure and its processes are intended to be value-added to its member organizations by providing a forum to address time-sensitive matters, early warning of problems, informing the public of progress being made, and coordination of member organization actions, schedules, and decisions to save time and expense. While performing its duties, the RCC may not infringe on the authority of the Parties or other jurisdictional agencies, including FERC. In this role, the RCC, as well as PacifiCorp Energy, are the primary entities using this Plan.

Specific roles of the RCC include:

- Facilitate coordination of resource-specific management plans developed by PacifiCorp Energy in consultation with the agencies per the SA;
- Among specific agencies, such as the USDA-FS and USDI-BLM, coordinate ongoing Project O&M and related construction activities, as needed;
- Facilitate coordination of upcoming PM&Es to be implemented per the SA and License Order;
- Participate with PacifiCorp Energy to define and review various monitoring activities and to review and comment on results;
- Establish appropriate procedures for conducting its activities and updating the Plan;
- Establish Technical Working Groups (TWGs) as deemed necessary to facilitate the roles defined above; and
- Determine the size, membership, Ground Rules, and procedures of TWGs as needed.

1.4 Plan Goals

This Plan will assist the RCC and PacifiCorp Energy in implementing PM&Es contained in the SA and License Order and coordinating ongoing Project O&M and related construction activities. As such, the overall goals of the Plan include the following:

Goal 1: Develop a “how-to manual” for RCC members, PacifiCorp Energy, and individual agencies.

Goal 2: Describe license implementation types and the roles and responsibilities of the Parties to implement PM&Es.

Goal 3: Define how the Plan would be updated or revised over time.

Goal 4: Identify coordination methods and PM&E approval processes that facilitate efficient and cost-effective implementation.

Goal 5: Facilitate the coordination of actions within the different resource-specific management plans defined in the SA and/or License Order.

Goal 6: Facilitate the coordination of individual PM&Es that are not imbedded within resource-specific management plans, but are required in the SA or License Order.

Goal 7: Clarify the type, timing, frequency, and purpose of anticipated coordination meetings by the RCC Plenary and TWGs and their resulting reports.

1.5 Terms and Definitions

Terms and definitions used in this Plan are defined below, and are intended to be consistent with the terms of the SA.

Action Plan – Same as Rolling Action Plan (see below).

Approval - Confirmation or concurrence with plans, design, projects, and schedules prior to implementation by the Party or Parties assigned responsibility in the SA.

Authority - The legal right to approve or modify an action or PM&E; this is based on statute, regulations, or legal agreements.

Conceptual Design Plans – Plans developed by PacifiCorp Energy in accordance with SA Section 21.5 to implement PM&Es that involve ground disturbance. These plans define the general conceptual intent and proposed layout of a proposed construction project or other proposed action at a site. Conceptual design plans provide less detail than detailed design plans, or final plans. Such conceptual plans lack the detail required for construction purposes, which are typically provided later in engineering and/or architectural drawings and specifications. These conceptual plans typically include line drawings made on

topographic base maps and may be in digital format, such as AutoCAD, or may be hand drawn. These drawings may or may not be drawn to a precise scale, but should be generally representative of the site and the proposed action and include labels and other text describing the proposed actions, areas to be protected, materials to be used, etc.

Construction - The erection, construction, installation, or assembly of a new fixed asset.

Construction Documents – Documents developed by PacifiCorp Energy in accordance with SA Section 21.5 to implement PM&E measures that involve ground disturbance. These plans include a set of documents used for contracting and construction purposes and are of such detail that they may be used to construct a project, including detailed plans drawn to scale, specifications, Terms and Conditions, details, sections, etc. Construction documents are developed using generally accepted practices for the industry to satisfy FERC and other agency specifications.

Consultation - Formal or informal discussions for the purposes of developing and/or reviewing proposed projects and implementation plans. Consultation involves providing another Party an opportunity for review and input regarding a proposed plan or project. The objective of consultation is to obtain input and reach a joint understanding of requirements for the proposed project or plans. The results of consultation are generally documented in reports or letters. Informal consultation generally pertains to the results of meetings, exchange of e-mail, or other informal communication between Parties. Formal consultation involves procedures that are covered by agency regulations, such as consultation with the USDI-FWS under the Endangered Species Act, and tribal consultation.

Design Approval – Approval by one or more Parties of a final design for site-specific plans (site plans) developed by PacifiCorp Energy to implement PM&Es defined in the SA or License Order, as referenced in SA Section 21.5 and Exhibit E of this Plan. Design approval is necessary before initiating any ground disturbance.

Detailed Design Plans – Plans that are developed by PacifiCorp Energy in accordance with SA Section 21.5 to implement PM&E measures that involve ground disturbance. Detailed design plans define the general intent and proposed layout of a proposed construction project or other proposed action at a site. Such plans provide more detail than conceptual design plans; however, they lack the detail required for construction purposes that would be provided later in engineering and/or architectural drawings and specifications. These detailed design plans typically include site plans made on topographic base maps

and are in a digital format, such as AutoCAD. These plans should be drawn to scale and representative of the site and proposed actions, including labels and other text describing the proposed actions, areas to be protected, materials to be used, etc.

Environmental Coordinator (EC) – The coordinator of implementation of PM&Es for the Project. PacifiCorp Energy and USDA-FS staff positions have been defined.

Executive Policy Group – An Executive Policy Group was formed by SA Parties after completion of the SA. The Executive Policy Group is comprised of upper managers or executives of each Party to the SA. Its purpose is to seek agreement on language for SA amendments to be submitted to FERC and to resolve issues where the RCC Plenary is at an impasse (SA Section 21.2), if possible, prior to invoking dispute resolution procedures (SA Section 22.7).

FERC Project Boundary or FERC Boundary - The boundary of the Project as approved by the FERC under the new license.

Final Design Plans – Plans that are developed by PacifiCorp Energy in accordance with SA Section 21.5 to implement PM&E measures that involve ground disturbance. Final design plans define the final layout of a proposed construction project or other proposed action at a site. Final design plans, once approved, would be incorporated into construction documents prior to implementation. Final design plans typically include site plans made on topographic base maps and are in a digital format, such as AutoCAD. These plans are drawn to scale and are representative of the site and proposed actions, including labels and other text describing the proposed actions, areas to be protected, materials to be used, etc.

Funding – Money that is available and has been committed by an organization to accomplish an activity, project, or program. Funding represents monies currently available for expenditure for the designated work, compared to a budget that may only represent a plan or projection for use of future anticipated funding. A commitment of money may take several forms, including a contract, approved collection agreement, payment of a bill for collection, appropriation of funds by Congress and allocated by higher levels of an agency, or a formal grant agreement.

Guideline - A statement of recommended, but not mandatory, practice in typical situations, with deviations allowed if professional judgment or scientific/engineering study indicates the deviation to be appropriate.

Implementation – Accomplishment of on-the-ground or on-site construction, restoration, reconstruction, maintenance, or operational activities. Implementation may involve actual ground or habitat disturbance.

Jurisdiction – The legal right to control and regulate land use and resources within the boundaries of land managed by an agency or tribe.

License - The new license issued by the FERC to operate and maintain the North Umpqua Hydroelectric Project, FERC Project No. 1927.

Maintenance - The act of keeping fixed assets in working condition. It includes preventive maintenance, normal repairs, replacement of parts and structural components, and other activities needed to preserve a fixed asset so that it continues to provide acceptable service and achieves its expected life. Maintenance excludes activities aimed at expanding the capacity of an asset or otherwise upgrading it to serve needs different from, or significantly greater than, those originally intended. Maintenance includes work needed to adhere to laws, regulations, codes, and other legal direction as long as the original intent or purpose of the fixed asset is not changed.

May - This word is not normally synonymous with “should,” and does not normally express certainty as “will” or “shall” does. It is used to indicate a certain measure of likelihood or possibility, and is used to express a desire, contingency, purpose, or result, to be allowed or permitted to do something.

Must - This word, like the word “shall,” is of mandatory effect.

Notice of Project Acceptance – Notice that the USDA-FS has completed a final inspection and that a project has been completed as per the approved design.

Notice to Proceed – Authorization from the USDA-FS to proceed with habitat- or ground-disturbing actions related to a project on National Forest System (NFS) lands.

Parties - Parties to the SA including PacifiCorp Energy, USDA-FS, USDI-BLM, USDI-FWS, NOAA-NMFS, ODFW, ODEQ, and OWRD.

Project - The North Umpqua Hydroelectric Project, FERC Project No. 1927, including all lands associated therewith as described in the new FERC license.

Project Notification Form – A form distributed by a PacifiCorp Energy representative that is used to coordinate appropriate signatures and approvals as a construction project goes through the Site Plan and Design Approval Phase.

Project Proposal – Written or e-mailed document that outlines the action to meet a specific purpose or need including the environmental protection measures, designs, and schedule.

Reconstruction (Rehabilitation) - Replacement of an existing facility involving the reconstruction, reinstallation, or reassembly of a fixed asset.

Resource Coordination Committee (RCC) - The RCC was created by Section 21 of the SA, and derives its authority from the SA and the License Order that affirms the SA. The RCC is comprised of the signatory Parties to the SA and makes collective decisions while implementing the SA. The RCC includes Plenary members that are the main decision-making body for facilitating and coordinating implementation and monitoring of SA provisions assigned to the RCC. In addition, the RCC Plenary may also establish Technical Working Groups (TWGs) as needed. The structure and process of the RCC are 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 jurisdictional agencies.

Restoration - Work necessary, as a result of major damage, to restore fixed assets to a designated standard and serviceability. Also, work necessary to restore the functionality and quality of a natural resource.

Rolling Action Plan - An annually updated Action Plan contained within a resource-specific management plan, such as the Transportation Management Plan (TMP). This Action Plan is jointly prepared by the Parties defined in each resource-specific management plan. The Action Plan framework is defined as a 5-year or 3-year rolling timeframe based on a calendar year. These Action Plans address cost sharing (if applicable), capital improvements, and operations and maintenance. Each Action Plan includes the current year, looks out to 1 to 3 years for planning purposes, and looks back 1 year for accounting or documentation purposes, for a total of 3 to 5 years. The Action Plans are presented to the RCC for review and comment for monitoring and tracking purposes.

Shall - As used in the SA and the Plan, this word is imperative and mandatory. “Shall” is a word of command, and one which has always or which must be given a compulsory meaning; as denoting obligation. It has a peremptory meaning, and it is generally imperative or mandatory. It has the invariable significance of excluding the idea of discretion, and has the significance of operating to impose a duty which may be enforced, particularly if public policy is in favor of this meaning, or when addressed to public officials, or where a public interest is

involved, or where the public or persons have rights which ought to be exercised or enforced, unless a contrary intent appears.

Should - Ordinarily implying duty or obligation; although usually no more than an obligation of propriety or expediency, or a moral obligation, thereby distinguishing it from “ought.” It is not normally synonymous with “may,” and although often interchangeable with the word “would;” it does not ordinarily express certainty as “will” and “shall” do.

Site Plan Approval – Approval by one or more Parties of conceptual or detailed site plans developed by PacifiCorp Energy to implement PM&Es defined in the SA or License Order in SA Section 21.5 and Exhibit E of this Plan. Site plans will be approved prior to initiating any ground disturbance.

Site-Specific Plan (Site Plan) – Plans developed by PacifiCorp Energy in accordance with SA Section 21.5 to implement PM&Es that involve ground disturbance. Also see design plans (conceptual, detailed, and final) and construction documents, all of which are related terms.

Standard - A statement of required, mandatory, or specifically prohibitive practice regarding land management, safety, or other procedures.

Will - This word expresses certainty and is used in a mandatory sense, unlike “should” or “may” that express a degree of permission, but not certainty. This word is used most often in the Plan, as compared to shall, should, must, and may.

Work Plan – A form distributed by the PacifiCorp Energy Environmental Coordinator that is used during the Work Plan Phase to plan and coordinate new projects and seek consensus and approval prior to their initiation.

2.0 REGULATORY FRAMEWORK, RESPONSIBILITIES, AND HIERARCHY

The Plan provides a framework that helps communicate, coordinate, and facilitate implementation of PM&Es identified in the SA and License Order and ongoing Project O&M and related construction activities. The Plan establishes a tracking framework (Exhibit E) and clarifies and defines PM&Es and component tasks to be implemented, the approval and consultation authorities and responsibilities, the timing of their implementation, the processes



used to implement them, and anticipated meetings that would be needed each year. The Plan also coordinates individual resource-specific management plans identified in the SA and License Order, as well as individual PM&Es not specifically covered within a particular resource-specific management plan. This Plan does not supersede or amend the requirements of the SA or License Order, as amended.

This section summarizes the regulatory framework of the Plan, responsibilities of the Parties and RCC, and the hierarchy of authority of various plans and FERC-related regulations and authorities.

2.1 Regulatory Framework

From a regulatory standpoint, FERC has the overall responsibility and authority for administration of the FERC Project license and its conditions. PacifiCorp Energy, as licensee, has the ultimate responsibility to follow and implement the license.

In the license, the framework of the RCC and its relationship to other entities, as well as the Plan itself, are specifically described in Section 21 of the SA. The roles and responsibilities of the RCC are defined in SA Section 21.1, and implementation of the SA, including dispute resolution procedures, is further described in SA Section 22.0.

The RCC facilitates and coordinates implementation of PM&Es consistent with the requirements of the SA (Exhibit A) and License Order (Exhibit B), as well as this Plan. The RCC's facilitation role may also require coordination with the approval authorities of one or more of the Parties, FERC, or other agency permitting.

This Plan focuses on the facilitation and consideration of construction projects. Types of implementation, review and approval processes, permitting requirements, and agency and FERC approvals are described in Section 5.0 of the Plan.

2.2 Roles and Responsibilities of Parties

The roles and responsibilities of PacifiCorp Energy, RCC members (Parties), individual agencies, and others are summarized below.

2.2.1 PacifiCorp Energy and the Environmental Coordinator

PacifiCorp Energy's roles and responsibilities concerning the coordination of PM&E implementation are described in Section 21 of the SA (Exhibit A), the License Order (Exhibit B), and this Plan. PacifiCorp Energy will be responsible for funding or conducting required environmental analyses, compliance, operations and maintenance, and permitting for the implementation of PM&Es and ongoing Project O&M related construction activities. These actions are subject to the requirements contained in the SA, and the laws, regulations, and policies in force at the time each individual action is undertaken.

As described in this Plan, PacifiCorp Energy will:

- Oversee the coordination and implementation of PM&Es;
- Act as a representative of PacifiCorp Energy to the RCC;
- Provide reasonable administrative and clerical support for the RCC;
- Notify Parties 90 days before the start of PM&E construction projects that are near sensitive habitat or may involve habitat-disturbing activities during and after construction (SA Section 21.6). PacifiCorp Energy will consult with Parties as necessary during construction or modification of Project facilities;
- Arrange Annual Meetings of the RCC, as well as any additional RCC meetings deemed necessary by the Parties, to coordinate activities and inform the Parties concerning the status of PM&E implementation (SA Section 21.4);
- Prepare Annual Reports on PM&Es completed during the previous year in consultation with the members of the RCC, and provide such members with at least 30 days to comment on a draft report prior to filing a final version to FERC (Exhibit F) (SA Section 21.4);

- Notify the USDA-FS: (a) within 5 business days prior to commencing project implementation on NFS lands, and (b) within 5 business days after completing project implementation; and
- Notify the USDA-FS immediately of accidental spill, discharge, or erosive events, and notify the Oregon Emergency Response System within 24 hours of such an event (SA Section 14.3, FPA 4(e) Terms & Conditions No. 14).

2.2.2 Executive Policy Group

The Executive Policy Group was formed by SA Parties after completion of the SA. The Executive Policy Group is comprised of upper managers or executives of each Party to the SA. Members will be designated by each Party and may be modified by the respective Party as needed over time. Executive Policy Group actions are subject to the requirements contained in the SA, and the laws, regulations, and policies in force at the time each action is considered.

The Executive Policy Group's roles and responsibilities include

- 1) Seeking agreement on issues, language, and procedures for preparing amendments to the SA and submitting them to FERC (SA Section 22.6).
- 2) Attempting to resolve issues when the RCC Plenary is at an impasse. If the RCC Plenary cannot reach consensus on an issue that affects most or all Parties, the RCC Plenary or PacifiCorp Energy will refer the disputed issue to the Executive Policy Group (SA Section 21.2). The Executive Policy Group will meet in person or by conference call to attempt to resolve the impasse. If the policy makers are unable to reach consensus on an issue within 30 days of referral, any remaining dispute will be resolved through the alternative dispute resolution process (SA Section 22.7).

In some instances where consensus is not reached by the RCC Plenary, the Executive Policy Group may not be the entity that will be called upon to seek resolution. If only a few Parties are involved in the disputed issue, those Parties will designate appropriate policy makers within their agency or PacifiCorp Energy, who will then meet to attempt to resolve the issue (SA Section 21.2). A Party's designation of an "appropriate policy maker" may change dependent on the subject of the issue and severity of the dispute.

2.2.3 Resource Coordination Committee

The primary responsibility of the RCC is to coordinate and facilitate implementation of PM&Es (SA Section 21.1) by the Parties and to coordinate

ongoing monitoring by the Parties. RCC members will conduct themselves per the RCC Ground Rules (Exhibit D). The SA provides that the RCC may establish TWGs to achieve the RCC's objectives.

The RCC Plenary will play an oversight role in implementing the following SA Sections:

- SA Section 19.2.1 - Predator study / control program and long-term fish monitoring
- SA Section 19.5 - Early implementation fund administration, schedule of payments, and reporting
- SA Section 20.1 - Consideration of alternative measures for Soda Springs
- SA Section 20.2 - Soda Springs removal and modification feasibility report
- SA Section 20.3 - Recommending alternative Soda Springs measures
- SA Sections 21.1, 21.2, 21.3, & 21.4 - Coordination and decision-making, environmental coordinator, meetings, and reports
- SA 10.5 - Potter Creek reconnection and rehabilitation

In addition, the RCC will be responsible for facilitating and coordinating the following actions among the Parties:

- Prioritizing Early Implementation Projects (EIPs) (SA Section 19.5.1);
- Facilitating coordination of Plan implementation by the Parties, including ongoing O&M (SA Section 21.1);
- Coordinating and monitoring implementation of PM&Es (SA Section 21.1) and coordinating ongoing monitoring requirements (SA Section 21.1);
- Coordinating responses and evaluations specifically assigned to the RCC in the SA (Sections 8.2.2, 8.3.3, 12.2, 13.2, 14.3.3, 14.5, 17.8, 19.2.1, and 22.5.2, and SA Amendment 2);
- Facilitating coordination and consultation on plans developed by PacifiCorp Energy (SA Section 21.1);
- Reviewing and commenting on draft Annual Reports of RCC activities and implementation of PM&Es (SA Section 21.4.2);
- Serving as a common point of contact for public information regarding SA implementation (SA Section 19.5.3);
- Monitoring implementation of the SA as a whole to provide a wider view than one agency's perspective;
- Avoiding surprises and errors through effective communication;

- Tracking progress and serving as the interface for the Parties to the SA as implementation takes place;
- Identifying policy issues; as policy issues arise, the RCC will work collectively to define and clarify the issues and options for transmittal to the Parties;
- Providing public information; serving as a point of information regarding SA implementation with a collective voice (SA Section 19.5.3);
- Promoting efficiency; sharing information among organizations; communicating changes in policy, procedure, or regulation; consulting before decision-making; and sharing technical resources;
- Implementing provisions of the SA to ensure that all Parties' interests continue to be valued throughout the new license term;
- Effectively communicating SA and License Order implementation progress through the development of a website at <http://www.pacificorp.com> (or as amended);
- Defining discrete goals and functional responsibilities of the RCC to enhance its effectiveness;
- Recommending any SA Amendments to the Executive Policy Group; and
- Recommending any SA date changes throughout the implementation of the SA.

The following measures are specifically excluded from RCC responsibility:

- Involvement or participation in the CWA Section 401 water quality certification and conditions (SA Section 1.1.6) (Appendix A, License Order);
- Administration of the Tributary Enhancement Program (SA Section 19.1), Oversight Costs (SA Section 19.4), and measures required by ODFW's Memorandum of Understanding (MOU) (SA Appendix E);
- Administration of the Mitigation Fund through the USDA-FS (SA Section 19.3); and
- Approval of plans and actions regarding specific PM&Es assigned to individual organizations for resource protection in the SA and License Order (SA Sections 21.2 and 21.5).

The RCC Plenary may assign specific responsibilities to TWGs for limited focus assignments, such as periodically reviewing the Plan for updating or addressing specific construction and design projects. The TWGs will report to the RCC Plenary. Designated TWGs are summarized in Sections 1.3 and 4.1.2.

2.2.4 USDA Forest Service

A majority of the Project is located within NFS lands managed by the USDA-FS. As such, the USDA-FS, Umpqua National Forest, has the following roles and responsibilities relative to the Plan based on the license (SA and FPA Section 4(e) Final Terms and Conditions) and ongoing Project O&M and related construction activities (Exhibit E).

The USDA-FS is assigned a consultation role or an approval role on the following PM&Es:

- Participates as a member of the RCC;
- Responsible for federal land management activities per the Forest Land and Resource Management Plan, Umpqua National Forest (FLRMP), as amended (USDA-FS 1990) (SA Section 17.11);
- Responsible for recreation resource management within USDA-FS-managed lands and waters (SA Section 17);
- Responsible for administration of the Mitigation Fund through the USDA-FS (SA Section 19.3);
- Responsible for jointly managing Lemolo Lake pool levels with PacifiCorp Energy, ODFW, ODEQ, and other interested parties (SA Section 9.3);
- Responsible for the review and approval of site plans/designs for construction actions on NFS land that involve potential habitat or ground-disturbing activities or pose a risk of creating erosion, hazardous materials, spills, and/or risk of wildfire or traffic restriction on roads open to the public (FPA Section 4(e) Final Terms and Conditions, No. 6);
- Responsible for USDA-FS-managed road O&M, traffic control and travel management, road closures, and public access as they relate to specific roads and conditions defined in the TMP (SA Section 15);
- Responsible for annual reporting of area of vegetation manipulation on NFS lands;
- Responsible for reviewing progress on and consistency with resource-specific management plans defined in the SA and FPA Section 4(e) Final Terms and Conditions (i.e., Spoils Disposal [Condition No. 11], Fire Management Plan [Condition No. 12], Spill Prevention and Control and Hazardous Materials [Condition No.14], Solid Waste and Waste Water Plans [Condition No.13], Sensitive Species Plan [Condition No. 15], and Survey and Manage Plan [Condition No.17]) that are relevant to the USDA-FS;

- Responsible for reviewing avian agreement recordkeeping/database management as monitored by PacifiCorp Energy and USDI-FWS (License Article 412, SA Section 13);
- Responsible for issuing a timely Notice to Proceed signifying that all environmental surveys have occurred, environmental protection measures are planned for, and designs have been approved;
- Responsible for inspecting projects during construction and after construction to ensure that projects are completed in a manner consistent with approved plans, specifications, or requirements;
- Responsible for coordinating the time, place, and manner of PM&E construction inspections with PacifiCorp Energy to ensure that construction is not delayed, and to ensure that completed construction actions and sensitive areas are not disturbed, to the extent practicable;
- Responsible for suspending construction activities on NFS lands, possibly without advance notice, when it is determined by an authorized Forest Officer that an act or omission: (a) threatens or endangers the property of the United States administered by the USDA-FS; (b) is out of compliance with applicable USDA-FS fire protection requirements; or (c) creates a substantial risk to safe public use of NFS lands in the project vicinity;
- Responsible for inspecting completed projects within 5 business days after receiving formal notification from PacifiCorp Energy of project completion;
- Responsible for notifying PacifiCorp Energy either during project construction, or within the review period, by issuing PacifiCorp Energy a notice that the project is not in compliance with approved plans, specifications, or requirements ("Letter of Non-Compliance"). In the event the USDA-FS issues a Letter of Non-Compliance, PacifiCorp Energy and the USDA-FS will promptly meet to identify remedies. Any remaining disputes concerning non-compliance will be resolved in accordance with Section 22.3.3 of the SA, and if the USDA-FS fails to notify PacifiCorp Energy of any non-compliance, or fails to notify PacifiCorp Energy that an extension of time is needed to complete final inspections within the review period, the project will be deemed approved by the USDA-FS; provided, however, that any extension of the review period shall not exceed 5 business days unless the USDA-FS notifies PacifiCorp Energy within the review period that emergency conditions exist that prevent its inspection. In the event the USDA-FS is unable to complete inspections due to emergency conditions, the USDA-FS shall promptly complete final inspections upon cessation of emergency conditions; and

- Responsible for participating in and annually updating six Rolling Action Plans along with PacifiCorp Energy including:
 - Vegetation Management Plan (VMP) implementation – monitoring vegetation maintenance, noxious weed prevention and control, and revegetation-related activities associated with Project operations within NFS lands (SA Section 12);
 - Transportation Management Plan (TMP) implementation – monitoring Project-related roads and culverts and annual cost-sharing coordination within NFS lands (SA Section 15);
 - Aesthetics Management Plan (AMP) implementation – monitoring Project-related visual screening efforts, facility painting projects, and application of aesthetic management guidelines within NFS lands (SA Section 16);
 - Erosion Control Management Plan (ECP) implementation – monitoring Project-related erosion control activities within NFS lands (SA Section 14);
 - Recreation Resource Management Plan (RRMP) implementation – monitoring Project-related recreation use levels, recreation facility construction and maintenance, and law enforcement within NFS lands (SA Section 17); and
 - Historic Properties Management Plan (HPMP) implementation – monitoring cultural resource management activities related to Project activities within NFS lands (SA Section 18.3).

2.2.5 USDI Bureau of Land Management

Some PM&Es and resource-specific management plans listed in the Resource Coordination Summary Matrix (Exhibit E) are located within USDI-BLM-managed lands; Project T-line corridors cross some areas of USDI-BLM-managed lands. As such, the USDI-BLM, Roseburg District, has various roles and responsibilities relative to the Plan. The USDI-BLM is assigned a consultation role or an approval role on a number of PM&Es, as defined in Exhibit E.

In addition, other specific USDI-BLM responsibilities include, among others:

- Participates as a member of the RCC;
- Responsible for land management activities per the USDI-BLM, Roseburg District, Resource Management Plan (RMP), as amended (USDI-BLM 1990);

- Responsible for reviewing avian agreement recordkeeping/database management as monitored by PacifiCorp Energy and the USDI-FWS;
- Responsible for USDI-BLM-managed road O&M, traffic control and travel management, road closures, and access as they relate to T-line-related activities per the TMP (SA Section 15.2); and
- Responsible for participating in and annually updating Rolling Action Plans involving the USDI-BLM including:
 - VMP implementation – monitoring T-line maintenance activities and vegetation management within the T-line rights-of-way (ROWs) (SA Section 12);
 - TMP implementation – monitoring joint access T-line roads and culvert maintenance, as well as review and approval of a new Grant of Right-of-Way (ROW) to PacifiCorp Energy (SA Section 15);
 - AMP implementation – monitoring T-line ROW screening efforts (SA Section 16); and
 - HPMP implementation – review, approve, and monitor cultural resource management activities related to T-line activities (SA Section 18.3).

2.2.6 USDI Fish and Wildlife Service

The USDI-FWS participates as a member of the RCC and retains jurisdiction over Endangered Species Act (ESA)–listed resident fish, animals, and plant species, and has issued a Biological Opinion and Incidental Take Statement to FERC that will be implemented by FERC and PacifiCorp Energy during the term of the license (USDI-FWS 2002).

The USDI-FWS will be actively involved in overseeing implementation of several of the PM&Es listed in the Resource Coordination Summary Matrix (Exhibit E) that deal with listed fish and wildlife species. The USDI-FWS is assigned a consultation role or an approval role on a number of PM&Es, as defined in Exhibit E.

2.2.7 NOAA National Marine Fisheries Service

NOAA-NMFS participates as a member of the RCC and has federally mandated responsibilities to protect anadromous fish resources, including ESA-listed anadromous fish species. NOAA-NMFS has likewise issued a Biological Opinion and Incidental Take Statement to FERC that will be implemented by FERC and PacifiCorp Energy during the term of the license (NOAA-NMFS 2002).

NOAA-NMFS will be actively involved in overseeing implementation of several of the PM&Es listed in the Resource Coordination Summary Matrix (Exhibit E) that deal with anadromous fish species and sensitive fish habitat. NOAA-NMFS is assigned a consultation role or an approval role on a number of PM&Es, as defined in Exhibit E.

2.2.8 State of Oregon, Department of Environmental Quality

ODEQ participates as a member of the RCC. Outside of the RCC, ODEQ is also responsible for regulating PacifiCorp Energy's adherence to conditions attached to the CWA Section 401 Water Quality Certification that was issued in 2002 (License Order, Appendix A). ODEQ will continue to cooperate with PacifiCorp Energy to implement 401 Certification conditions and Total Maximum Daily Loads (TMDLs) that comply fully with state and federal law; and that, to the maximum extent feasible, are consistent with the SA (Section 1.1.6.2). These conditions pertain to various water quality issues; instream flows and ramping rates; fish habitat enhancement; monitoring and control of nuisance algae; and an oil spill prevention, control, and counter-measure plan.

ODEQ will be actively involved in overseeing implementation of several of the PM&Es listed in the Resource Coordination Summary Matrix (Exhibit E) that deal with water resources. ODEQ is assigned a consultation role or an approval role on a number of PM&Es, as defined in Exhibit E.

2.2.9 State of Oregon, Department of Fish and Wildlife

ODFW participates as a member of the RCC. ODFW will be actively involved in overseeing implementation of several of the PM&Es listed in the Resource Coordination Summary Matrix (Exhibit E) that deal with fish and wildlife resources, including the Tributary Enhancement Program (SA Section 19.1). ODFW is assigned a consultation role or an approval role on a number of PM&Es, as defined in Exhibit E.

2.2.10 State of Oregon, Water Resources Department

OWRD participates as a member of the RCC. OWRD will be actively involved in overseeing implementation of some of the PM&Es listed in the Resource Coordination Summary Matrix (Exhibit E). OWRD is assigned a consultation role or an approval role on a number of PM&Es, as defined in Exhibit E.

2.2.11 Other Non-RCC Agencies and Stakeholders

Other parties are involved in specific activities related to the Project license, such as permitting or consultation during plan preparation, even though they are not

directly involved as RCC members, have Plan oversight responsibilities, or have specific links to PM&Es in the SA. The public is also encouraged to participate in the planning of SA actions through RCC public outreach. Other agency involvement includes:

- Douglas County (consultation on RRMP preparation and public law enforcement services in the Project area via the USDA-FS);
- U.S. Army Corps of Engineers (permits as required);
- Oregon Department of State Lands (ODSL) (permits as required);
- Oregon State Marine Board (consultation on preparation of the RRMP); and
- Oregon State Historic Preservation Office (consultation on preparation of the HPMP and its follow-on implementation).

2.3 Hierarchy of Documents and Authorities

To assist the Parties in implementing the Plan, this section describes the priority relationship of the Plan to other laws, agreements, plans, documents, and relevant requirements. In general, this Plan should be interpreted through referencing the following materials, organized in order of priority:

- The License Order (including FPA Section (4e) Final Terms and Conditions, Appendices B and C);
- The SA— Sections 1 through 24 (excluding Appendices and Schedules) as updated by Amendment Nos. 1 and 2 (Exhibit A); and
- FERC-approved, resource-specific management plans and associated main text sections and exhibits prepared per the SA (completed 2004-2006); secondarily, the associated broader goals and objectives.

Potential conflicts or ambiguity in implementing this Plan may be discussed and addressed during RCC meetings and during Plan review and update cycles. Ultimately, conflicts regarding SA obligations or PM&E implementation shall be resolved in accordance with SA Section 22.

3.0 RELATIONSHIP TO OTHER PLANS

This chapter summarizes the many individual resource-specific management plans to be coordinated by this “Umbrella Plan,” as well as plans that require annual coordination and development of Rolling Action Plans.

3.1 Summary of Required Plans

The SA and License Order contain a number of requirements to develop and implement a number of referenced resource-specific management plans and other PM&E construction or flow-related plans. Six of these plans have been developed by PacifiCorp Energy as resource-specific management plans with annual Rolling Action Plans. All of these plans are listed below in Table 3.1-1, which references each plan, SA and License Article references, and primary organizations involved in each plan.

3.2 Plans Requiring Annual Coordination



Several of these required plans have annual coordination and reporting requirements called Rolling Action Plans (either 3 or 5 years each). These Rolling Action Plans will be developed annually by PacifiCorp Energy and the USDA-FS and/or USDI-BLM and will document agreement on actions during the current year and actions planned in the next 1 to 3 years (if possible), as well as document PM&Es or other activities that were completed (or not) during the prior year. Reporting deadlines are defined in Exhibit F – Coordination Calendar. The other required plans and/or programs do not have Rolling Action Plan requirements.

Six resource-specific management plans include Rolling Action Plan requirements, as follows:

- **Aesthetics Management Plan**—The AMP (PacifiCorp 2004a), as described in SA Section 16, addresses the design, maintenance, and construction of Project facilities to preserve or enhance the aesthetic/visual resources of the Project area consistent with USDA-FS and USDI-BLM visual resource standards. Paint color selection, landscaping, and T-line ROW maintenance and screening are all covered by the AMP.

Table 3.1-1. Plans referenced in the RCP.

Referenced Plans by Type	SA or Other References	Primary Organizations Involved
Resource-Specific Management Plans (with Annual Rolling Action Plans)		
Aesthetics Management Plan (AMP) (PacifiCorp 2004a)	SA Section 16.1	USDA-FS, USDI-BLM
Erosion Control Plan (ECP) (PacifiCorp 2004b)	SA Section 14.1 and Lic. Art. 401, Appendix A	RCC
Recreation Resource Management Plan (RRMP) (PacifiCorp 2004c)	SA Section 17.1	USDA-FS
Vegetation Management Plan (VMP) (PacifiCorp 2004d)	SA Section 21.1 and Lic. Art. 401, 406	USDA-FS, USDI-BLM
Transportation Management Plan (TMP) (PacifiCorp 2004e)	SA Section 15.1 and Lic. Art. 401	USDA-FS, USDI-BLM
Historic Properties Management Plan (HPMP) (PacifiCorp Energy 2006)	SA Section 18.1 and Lic. Art. 414	USDA-FS, USDI-BLM, SHPO
Resource-Specific Management Plans (with no Annual Rolling Action Plans)		
Fire Management Plan (FMP) (PacifiCorp 2005)	FPA 4(e) Terms and Conditions	USDA-FS
Solid Waste and Waste Water Plan	FPA 4(e) Terms and Conditions	USDA-FS
Spill Prevention and Control Plan and Hazardous Material Management Plan	FPA 4(e) Terms and Conditions	USDA-FS
Sensitive Species Plan and Survey and Manage Species Plan (combined)	FPA 4(e) Terms and Conditions	USDA-FS
Lemolo Reservoir Management Plan	SA Sections 9.3.1, 9.3.1.1	USDA-FS, ODFW, others consulted
Long-Term Monitoring & Predator Control Plan	SA Section 19.2	ODFW, USDA-FS, NOAA-NMFS, USDI-FWS
Other PM&E Construction and Flow-Related Plans		
Soda Springs – Downstream Fish Passage O&M Plan, Downstream Fish Passage Long-Term Monitoring Plan, Upstream Passage Evaluation Plan, Bypass Reach Alluvial Restoration Project Implementation and Monitoring Plan	SA Sections 4.1.1, 4.1.2, 8.3 and Lic. Art. 401, 402, 407, 408	NOAA-NMFS, USDI-FWS, USDA-FS, ODFW
Slide Creek – Habitat Implementation and Enhancement Plans, Monitoring Plan, and Monitoring Plan During Emergency Shutdowns	SA Sections 8.2, 8.2.1, 8.2.2, 6.2.1	NOAA-NMFS, USDI-FWS, USDA-FS, ODFW
Fish Creek - Downstream Fish Passage Facility O&M Plan, Upstream Fish Passage and O&M Plans	SA Sections 4.3.1, 4.3.2 and Lic. Art. 401, 402, 407	NOAA-NMFS, USDI-FWS, USDA-FS, ODFW
Lemolo No. 2 – Upstream Fish Passage O&M Plan, Upstream Passage Evaluation Plan	SA Section 4.3.1 and Lic. Art. 401, 407	NOAA-NMFS, USDI-FWS, USDA-FS, ODFW
North Umpqua River Habitat Implementation and Monitoring Plans	SA Sections 8.3, 8.3.1, 8.3.2, 8.3.3	USDA-FS, NOAA-NMFS, USDI-FWS, ODFW
Gravel Augmentation Implementation Plans	SA Sections 7.2.1, 7.2.2	NOAA-NMFS, USDI-FWS, USDA-FS, ODFW, others consulted
Operations Plan for Passage of Woody Debris	SA Section 7.3 and Lic. Art. Appendix A	NOAA-NMFS, USDI-FWS, USDA-FS, ODFW, ODEQ
Flow Monitoring Plan	SA Section 5.5 and Lic. Art. 403, 407, Appendix A	All agencies but USDI-BLM

Table 3.1-1. Plans referenced in the RCP.

Referenced Plans by Type	SA or Other References	Primary Organizations Involved
Wildlife Crossing Plan	SA Section 11.3	USDA-FS, ODFW
Shut-off and Drainage System and O&M Plan	SA Section 14.2 and Lic. Art. Appendix A	USDA-FS, ODFW, ODEQ
FERC Required Plans for Project O&M-related Construction Projects	License Order	FERC, PacifiCorp Energy
Post-Construction Evaluation Plans (various projects)	SA Section 4.1.2	NOAA-NMFS, USDI-FWS, USDA-FS, ODFW
Site-Specific Plans, Construction Plans, Erosion Site Plans (various projects)	SA Section 21.5, 14.4.1	USDA-FS; others consulting
Clearwater No. 2 Operation Strategy Plan	SA Section 10.3, Amendment No. 2	OWRD, USDA-FS, ODFW

- **Erosion Control Plan**—The ECP (PacifiCorp 2004b) addresses the following components as described in SA Section 14: (1) Flume Failures; (2) Shut-off and Drainage Systems; (3) Timely Response to Erosive Events; (4) Erosion-Site Remediation; (5) Monitoring; (6) Performance Bonds; (7) Seismic and Geologic Hazard Evaluation; and (8) Dam Safety.
- **Recreation Resource Management Plan**—The RRMP (PacifiCorp 2004c) covers seven topics: (1) Recreation Annual O&M (SA Sections 17.1, 17.2, 17.3, 17.4, 17.5, 17.6, and 17.8); (2) Forest Land and Resource Management Plan (FLRMP) Compliance (SA Section 17.11); (3) Recreation Capital Improvement / Deferred Maintenance (SA Section 17.8); (4) Recreation Monitoring (SA Section 17.10); (5) Recreation Public Information (SA Section 17.9); (6) Recreation Law Enforcement (SA Section 17.7); and (7) Reporting Requirements for FERC (Form 80) and linked to the USDA-FS budget system (SA Sections 17.10, 21.4.2).
- **Vegetation Management Plan**—The VMP (PacifiCorp 2004d) consists of three sets of activities or measures, each dealing with a specific aspect of vegetation management: (1) Vegetation Maintenance and Routine Removal Near Project Facilities; (2) Noxious Weed Prevention and Control; and (3) Revegetation of Sites Disturbed by Project O&M.
- **Transportation Management Plan**—The TMP (PacifiCorp 2004e), as required by SA Section 15, includes eight specific activities: (1) Road Maintenance and Reconstruction (Capital Improvement); (2) Bridge and Major Culvert Maintenance, Inventory, and Inspections; (3) Road Decommissioning; (4) Culvert Upgrades; (5) Periodic Monitoring and Inspections of Roads, Bridges, and Major Culverts; (6) New Road Construction (Capital Improvement); (7) Traffic Management for Public Access, Traffic Studies, Road Signs, Work Area Signing, and Hazard Analysis; and (8) Reporting.

- **Historic Properties Management Plan**—The HPMP (PacifiCorp Energy 2006), as required by SA Section 18 and License Article 414, includes principles for protection and mitigation of historic buildings and structures and archaeological resources.
- PacifiCorp Energy and the USDA-FS and USDI-BLM, as applicable, will annually develop **Rolling Action Plan (3 or 5 year)** reports for review at the Annual Meeting. PacifiCorp Energy will facilitate the preparation of Action Plan reports for each of the six plans. The schedule for this reporting is defined in Exhibit F – Coordination Calendar.

4.0 METHODS OF COORDINATION

PacifiCorp Energy will coordinate with the RCC and individual agencies to facilitate implementation of PM&Es defined in the SA and License Order and ongoing Project O&M-related construction activities through the following venues and methods:

- Develop and implement the Plan, including annual updates of Exhibit E and other periodic updates of the Plan, as needed;
- Hold RCC Plenary and TWG meetings as needed that function as consensus decision-making forums per established Ground Rules (Exhibit D, as amended) to facilitate PM&E implementation;
- Hold Annual Meetings of the RCC Plenary to document past accomplishments and to plan for upcoming PM&E implementation actions;
- Develop, implement, and monitor resource-specific management plans (Section 3.1) that include programs for specific resource areas, as well as specific PM&Es;
- Develop and annually update Rolling Action Plans for six resource-specific management plans (Section 3.2);
- Monitor individual PM&Es that are not included within specific management plans;
- Develop and maintain electronic and/or web-based tools or applications for PacifiCorp Energy, RCC Plenary, TWG, and public use; and
- Provide public outreach and encourage community involvement to communicate progress made in implementing the SA and License Order by the RCC and PacifiCorp Energy.



4.1 RCC Structure

The role of the RCC, as defined in SA Section 21.1, is to facilitate and coordinate implementation of PM&Es defined in the SA and License Order. The RCC reviews implementation requirements and, through collaboration and sharing of information, works to achieve desired results. The RCC provides a forum to address time-sensitive matters, gives early warning of problems, and

coordinates member organization actions, schedules, and decisions to save time and expense.

To achieve its goals, the Parties have each appointed a member and an alternate to the RCC, as well as caucus members. These RCC members are listed in Exhibit C. RCC members work with a designated caucus within their respective organizations.

The RCC includes Plenary members that are the main decision-making body for facilitating and coordinating implementation and monitoring of SA provisions assigned to the RCC. In addition, the RCC Plenary may also establish TWGs as needed. The structure of the RCC Plenary and TWGs is illustrated in Figure 4.1-1 and described in the following sections. The SA and License Order are the guiding documents that provide authority for the Plan and the RCC Plenary. PacifiCorp Energy, RCC Plenary, and the Parties all interact with one another to implement the SA and license. Under the RCC Plenary are TWGs that have specifically defined roles and responsibilities, as discussed below.

4.1.1 RCC Plenary

The RCC Plenary is the primary decision-making committee and includes all eight members of the RCC. Ground Rules for the RCC Plenary are defined in Exhibit D. The RCC Plenary discusses and reviews PM&E implementation schedules and progress and reviews reports and plans prepared by PacifiCorp Energy. The RCC Plenary will hold an Annual Meeting, as well as periodic RCC Plenary coordination meetings as needed (Exhibit F).

RCC Plenary Annual Meeting

An RCC Plenary Annual Meeting will be held in January each year. The purpose of the Annual Meeting includes:

- Reviewing a list of all PM&Es to be coordinated by the RCC for the coming year(s);
- Reviewing progress made on implementing all PM&Es that are in progress;
- Updating the Resource Coordination Summary Matrix (Exhibit E) as PM&Es are completed and initiated;
- Reviewing actions related to each of the Rolling Action Plans (see Section 3.2); and
- Reviewing the progress of the TWGs and directing their activities.

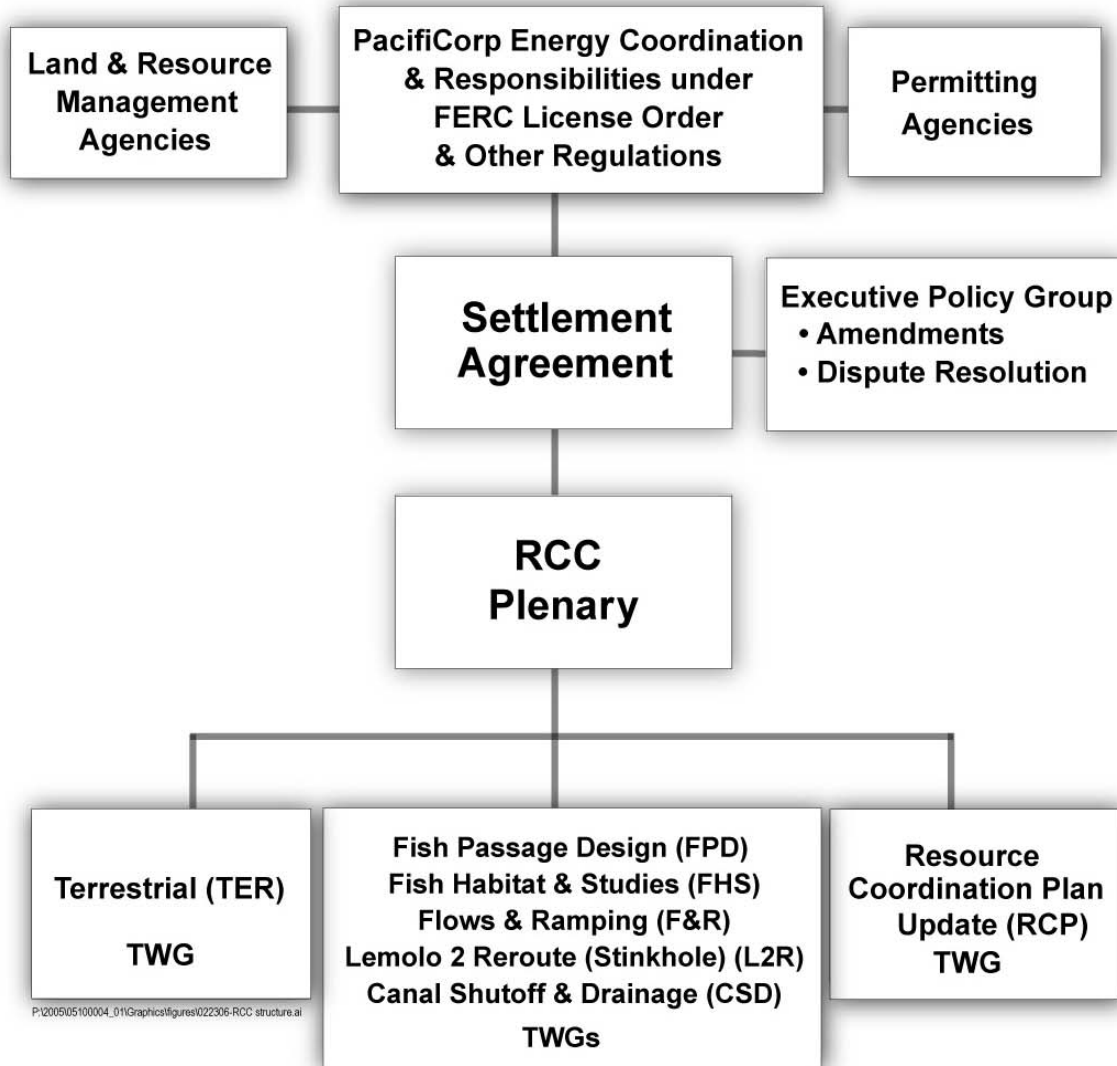


Figure 4.1-1. RCC Structure.

RCC Plenary Periodic Meetings

Periodic RCC Plenary meetings will be held as necessary to facilitate and coordinate implementation of PM&Es, including:

- Review status of ongoing PM&E implementation and monitoring;
- Review the Annual Report prepared by PacifiCorp Energy;
- Conduct field visits as needed;
- Review TWG reports;
- Address construction issues if needed; and
- Provide feedback to PacifiCorp Energy.

4.1.2 RCC Technical Working Groups

The RCC Plenary has established seven initial standing TWGs:

- Resource Coordination Plan (RCP TWG)
- Fish Passage Design (FPD TWG)
- Fish Habitat & Studies (FHS TWG)
- Flows & Ramping (F&R TWG)
- Lemolo No. 2 Reroute (Stinkhole) (L2R TWG)
- Canal Shut-off & Drainage (CSD TWG)
- Terrestrial (TER TWG)

TWGs may be standing or ad hoc working groups. The RCC Plenary may define other TWGs on an as-needed basis. They are intended to be short-term working groups that may last only months or years. TWGs may have RCC caucus or Plenary members within the group. The RCC Plenary will define the lead for each agency; that lead may bring in others within that agency or specialists as needed. TWG meetings will not need to be noticed to the public; however, any individual may attend if desired. TWG meetings may or may not be facilitated, depending upon the needs of the group.

The RCC Plenary will create Ground Rules for TWGs, similar to those already defined in Exhibit D, within 6 to 12 months of working group formation. Once developed, these additional Ground Rules will be added to Exhibit D of this Plan.

The general focus of TWGs includes:

- Evaluating PM&E site plan alternatives, operational plans, and designs;
- Reviewing and commenting on effectiveness monitoring results;
- Focusing on the implementation of specific PM&Es, such as high complexity projects, or projects involving multiple resources to be coordinated;
- Defining interim results based on input from technical leads from each agency;
- Informing the RCC Plenary of decisions related to specific PM&E implementation, but not making decisions contrary to the SA or License Order; and
- Facilitating the periodic update of the Plan by PacifiCorp Energy, as needed, and reviewing annual updates of Exhibit E by PacifiCorp Energy.

4.2 RCC and Other Coordination Meetings

The RCC will regularly hold coordination meetings to facilitate implementation of PM&Es defined in the SA and License Order. A summary of planned coordination meetings is listed in Table 4.2-1. At the beginning of the year, PacifiCorp Energy will facilitate an Annual Meeting of the RCC Plenary to document past progress on PM&E implementation, as well as plans for implementation of current and future PM&Es. Following the Annual Meeting, periodic RCC Plenary meetings will be held. These meetings and key decision points are defined in the Coordination Calendar (Exhibit F). The RCC Plenary will meet as needed at the direction of its members to facilitate, discuss, and monitor implementation of PM&Es. Additional or fewer meetings may be called as needed based on the changing RCC workload. In addition, TWG meetings will be held as needed based on RCC Plenary direction.

PacifiCorp Energy will also hold non-RCC coordination meetings with appropriate Parties related to resource-specific management plans, such as the TMP. These meetings will be used to coordinate the Parties involved in each resource-specific management plan.

4.3 Coordination with Individual Agencies

PacifiCorp Energy will coordinate with individual agencies as needed to implement new PM&Es (Exhibit E), as well as ongoing Project O&M and related construction activities that are ground disturbing and may affect sensitive habitats or other resources on federal lands. Once a project is planned and tentatively scheduled by PacifiCorp Energy, the appropriate agency or agencies will be contacted to coordinate its implementation and to define any specific

Table 4.2-1. Planned coordination meetings.

Meeting	Group	Purpose	Timeframe
Annual Meeting	PacifiCorp Energy (lead) and RCC Plenary	Meet to coordinate activities and inform the Parties concerning the status or implementation of PM&Es.	Annually, as determined by the RCC and EC.
Periodic RCC Plenary Meetings	RCC Plenary	Meet to review annual progress on SA implementation PM&Es, plan for and review the work of TWGs, and other coordination and facilitation needs.	Meet as needed at the direction of its members. One meeting to coincide with the Annual Report by PacifiCorp Energy and reports on Rolling Action Plans. Additional meetings may be added, or meetings dropped, as needed due to the changing workload of the RCC.
TMP, HPMP, VMP, ECP, RRMP, and AMP Meetings Rolling Action Plans	PacifiCorp Energy and agencies who signed each plan, primarily USDA-FS	Meet annually to implement the requirements of the management plans, including cost-sharing with the USDA-FS; update the Rolling Action Plan and provide a report to the RCC Plenary.	Meet annually and report to the RCC by January 15 of each year.
TWG Meetings	Assigned TWG members	Meet to address specific assignments as agreed upon by the RCC Plenary.	Meet as needed per direction from the RCC Plenary.
Ongoing Project O&M and Related Construction Activities	PacifiCorp Energy in cooperation with USDA-FS and USDI-BLM	Meet to coordinate ongoing Project O&M capital projects.	Annual Meeting and as needed.

requirements to protect resources, such as cultural resource protection, fire prevention, waste disposal, erosion control, transportation, sensitive and survey and manage species, etc. Planned activities will be added to Exhibit E for coordination purposes if the broader RCC is involved. However, some activities are emergency maintenance responses. In such cases, PacifiCorp Energy will coordinate with the appropriate agency or agencies as soon as practicable, but will proceed to address the emergency as needed. Further description is provided in Section 5.2.4.

4.4 Staffed and Assigned Positions

The RCC Plenary will receive assistance in performing its roles through the use of a PacifiCorp Energy Environmental Coordinator (EC), USDA-FS Hydropower Program Manager, ODFW-staffed positions under SA Section 19, and RCC meeting facilitator (if necessary due to topical areas and complexity).

The PacifiCorp Energy EC will be responsible for the following activities:

- Oversee the coordination and implementation of PM&Es;
- Act as a representative of PacifiCorp Energy to the RCC Plenary;

- Provide reasonable administrative and clerical support for the RCC Plenary;
- Arrange meetings deemed necessary by the Parties to coordinate activities and inform the Parties concerning the implementation status of PM&Es; and
- Prepare an Annual Report on PM&Es completed during the previous year in consultation with the RCC Plenary, providing them with at least 30 days to comment on draft reports prior to filing a final version with FERC.

The USDA-FS Hydropower Program Manager will be responsible for the following activities:

- Act as a representative of the USDA-FS to the RCC Plenary; and
- Coordinate the USDA-FS review and approval of Project-related activities.

The ODFW-staffed positions will be responsible for monitoring tasks associated with the Tributary Enhancement Program and oversight of on-site mitigation measures performed by PacifiCorp Energy or other entities (SA Section 19). These portions of the Plan do not receive RCC Plenary direction.

The RCC Plenary meeting facilitator will be responsible for the following activities, or as the RCC Plenary changes the facilitator's duties by consensus:

- Acts as an impartial individual who helps guide RCC Plenary meetings and processes, chairs RCC Plenary meetings, prepares agendas and meeting summaries, and coordinates logistics;
- Helps keep the RCC Plenary focused on the mission, agenda, and agreed-upon tasks; suggests alternative procedures where appropriate; and encourages participation by all members;
- Acts as the designated contact point and spokesperson for the RCC Ground Rules as defined in Exhibit D and its progress unless otherwise agreed to by the RCC Plenary;
- Contacts members of the RCC Plenary as needed to assist with public information needs; and
- Communicates between meetings with individual members and caucuses and assists the free movement of ideas between members and caucuses.

4.5 Resource-Specific Management Plan Implementation

PacifiCorp Energy will coordinate with the RCC Plenary on implementation of PM&Es associated with (or imbedded within) resource-specific management plans, such as the TMP (Table 3.1-1). Progress in implementing these resource-specific management plans will be presented at the Annual Meeting (see Exhibit

F – Coordination Calendar). PacifiCorp Energy will update the PM&Es associated with these plans in the Resource Coordination Summary Matrix (Exhibit E) and in the Annual Report. The Annual Report will be filed with FERC.

Agency and PacifiCorp Energy staff involved in implementing six of these plans (RRMP, TMP, VMP, AMP, ECP, and HPMP) will meet at least annually to prepare and update Rolling Action Plans for each plan. PacifiCorp Energy will report progress on each plan at the Annual Meeting. Resource-specific management plans are further discussed in Sections 3.1 and 3.2.

4.6 Individual PM&E Implementation

PacifiCorp Energy will coordinate with the RCC Plenary on implementation of PM&Es that are summarized in Exhibit E and are described in the SA and License Order. The RCC Plenary will facilitate PM&E implementation through the functions of the RCC Plenary and TWGs. These PM&Es may be stand-alone actions or may be included in resource-specific management plans, as discussed above. The RCC Plenary will track the progress in implementing these individual PM&Es through TWGs and on a periodic basis through the RCC Plenary (see Exhibit F – Coordination Calendar). PacifiCorp Energy will update the Resource Coordination Summary Matrix (Exhibit E) annually (or as needed). PacifiCorp Energy will prepare an Annual Report on PM&Es implemented during the previous year in consultation with the RCC Plenary membership. RCC Plenary members will be provided at least 30 days to comment on a draft report prior to filing a final version with FERC (Exhibit F).

4.7 Electronic and Web-based Tools and Applications

PacifiCorp Energy uses various information tools, including software applications and programs, to track PM&E implementation compliance. PacifiCorp Energy has developed a website to provide information regarding license implementation and will continually update the existing website as needs arise through the RCC Plenary. Potential “RCC Access Only” website areas will be developed to exchange documents and to better coordinate and track implementation of PM&Es defined in the SA and License Order.

4.8 Public Outreach and Community Involvement

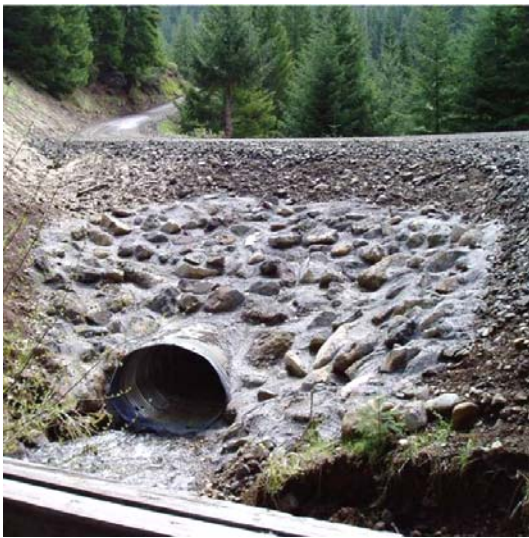
The RCC will provide and enhance public outreach and inform and educate the public about implementation of PM&Es through the term of the new license (SA Section 19.5.3). The public will be invited to RCC Plenary meetings. The public is welcome to participate in RCC Plenary meetings if desired. Individuals or organizations may request to receive e-mail notification of RCC Plenary

meetings. RCC Plenary meeting schedules, notices, notes, and reports will be maintained on PacifiCorp Energy's Project website (<http://www.pacificorp.com> [or as revised]).

5.0 IMPLEMENTATION ACTIONS, APPROVALS, AND PERMITTING

Section 5.0 describes four types of implementation actions that are required to implement the SA and License Order. In addition, it describes the review and approval processes used to implement required actions in each of these four categories, as well as for monitoring, reporting, mapping, and database management.

5.1 Types of Implementation Actions



There are four types of implementation that require agency review and approval and sometimes permitting. The various roles, responsibilities, and processes used to implement these various actions are described in the Plan.

These four types of implementation include:

- SA PM&Es;
- Generation and T-line O&M and construction projects;
- Other license requirements, such as USDA-FS and USDI-BLM Final Terms and Conditions under Section 4(e) of the FPA; and
- CWA Section 401 water quality certification requirements.

5.1.1 SA PM&Es

The Plan identifies and summarizes all of the PM&Es, most of them associated with implementation of the SA. This documentation is provided in the Resource Coordination Summary Matrix (Exhibit E) of this Plan. The RCC Plenary and PacifiCorp Energy will use Exhibit E to plan, coordinate, and track implementation of PM&Es.

Exhibit E PM&Es are categorized into the following natural resource areas:

- Aquatic Resource/Fisheries Management
- Terrestrial Resource Management
- Other Land-Based Management
- All Resources (i.e., applies to all)

Exhibit E PM&Es are also categorized into the following implementation topics:

- Operations
- Maintenance
- Construction
- Resource Protection Fund Payments
- Long-term Monitoring Plans
- Plans
- Designs - including subcategories: Designs/Construction and Designs/Evaluations
- Evaluations - including subcategory Evaluations/Operations

Exhibit E also includes a number of other data for cross-referencing that will be used to schedule, plan, and coordinate PM&E implementation including:

- PM&E name or description;
- License Order reference, in addition to SA section;
- TWG or other assignments;
- Estimated planning start date (year) for each PM&E;
- Target due date (year) per SA or RCC for each PM&E;
- Actual completion date (year) for each PM&E;
- Name of relevant plans or programs that are related to the PM&E;
- Notes, particularly if there are deviations from the SA;
- Complexity rating (high, medium, or low) for implementing each PM&E; and
- Consulting and approving agencies for each PM&E.

Operations

Exhibit E includes a number of activities that will be coordinated with the RCC related to Project operations. PacifiCorp Energy will consult with the RCC regarding the planning of specific aspects of Project operations that are referenced or inferred in the SA and License Order. For a complete list of PM&Es, see Exhibit E.

Maintenance

Exhibit E includes several maintenance-related activities that will be planned and coordinated with the RCC per the SA and License Order. PacifiCorp Energy

will consult with the RCC on such activities that are referenced or inferred in the SA. For a complete list of PM&Es, see Exhibit E.

Construction

Exhibit E includes construction-related activities that will be planned and coordinated with the RCC. PacifiCorp Energy will consult with the RCC regarding these construction projects that are referenced or inferred in the SA and License Order. The RCC and other individual agencies will be involved in design review, consultation, permitting, and approval per the SA. For a complete list of PM&Es, see Exhibit E.

Resource Protection Fund Payments

Exhibit E includes several resource protection fund payments to be planned and executed. PacifiCorp Energy will notify the RCC of fund payments that are planned and made each year per the SA. The RCC will plan and define how these funds will be spent. The RCC has decision-making authority over the following fund payments:

- SA Section 7.2 – Gravel Augmentation;
- SA Section 8.3 – Soda Habitat Restoration;
- SA Section 19.2 – Long-term Monitoring and Predator Control; and
- SA Section 19.5 – Early Implementation (completed).

Long-term Monitoring Plans

PacifiCorp Energy, RCC Plenary, TWGs, and individual agencies will be involved in the planning and coordination of several long-term monitoring plans being implemented per the SA. PacifiCorp Energy will consult with the RCC regarding specific planning aspects of these monitoring plans, as appropriate. For a complete list of long-term monitoring plans, see Exhibit E.

Plans, Designs, and Evaluations

Exhibit E includes plans, designs, and evaluations that will be planned and coordinated by PacifiCorp Energy with the RCC Plenary, TWGs, and/or individual agencies. PacifiCorp Energy will periodically update the RCC regarding the planning and coordination of these implementation actions (plans, designs, and evaluations). For a complete list of plans, designs, and evaluations, see Exhibit E.

5.1.2 Other License Requirements

In addition to SA PM&Es noted above, the License Order includes a number of other license requirements, chiefly the FPA 4(e) Final Terms and Conditions, as defined in Appendices B and C of the License Order. These include federal land management agency conditions from the USDA-FS and USDI-BLM. License Order actions are defined in Exhibit E of this Plan and are organized similarly to the SA PM&Es as described above.

USDA-FS 4(e) Final Terms and Conditions

USDA FS 4(e) Terms and Conditions per FPA authority are included in Appendix B of the License Order. Conditions include the following:

- Compliance with the SA, FPA 4(e) Nos. 1-4;
- Requirement to obtain a USDA-FS Land Use Authorization, FPA 4(e) No. 5;
- Allowed activities on NFS lands, FPA 4(e) No. 6;
- Approval of changes after license issuance, FPA 4(e) No. 7;
- Coordination with other activities, FPA 4(e) No. 8;
- Borrow and quarry pit activities, FPA 4(e) No. 9;
- Seismic and geologic hazard evaluation and dam safety, FPA 4(e) No. 10;
- Spoils disposal plan, FPA 4(e) No. 11;
- Fire management plan (FMP), FPA 4(e) No. 12;
- Solid waste and wastewater plan, FPA 4(e) No. 13;
- Spill prevention and control and hazardous materials management plan, FPA 4(e) No. 14;
- Sensitive species plan, FPA 4(e) No. 15;
- Proposed, Threatened, and Endangered Species, ESA compliance, FPA 4(e) No. 16;
- Survey and Manage species plan FPA 4(e) No. 17; and
- Reservoir dredging, FPA 4(e) No. 18.

USDI-BLM 4(e) Final Terms and Conditions

USDI-BLM 4(e) Terms and Conditions per FPA authority are included in Appendix C of the License Order. Conditions include the following:

- Compliance with the SA, FPA 4(e) Terms and Conditions Nos. 1-4 and Nos. 7-8;

- Requirement to obtain a USDI-BLM Grant of ROW, FPA Section 4(e) Terms and Conditions No. 5;
- Allowed activities on USDI-BLM-managed lands, FPA 4(e) Terms and Conditions No. 6;
- Special status species management, FPA 4(e) Terms and Conditions No. 9; and
- Survey and Manage species management, FPA 4(e) Terms and Conditions No. 10.

5.1.3 CWA Section 401 Water Quality Certification Requirements

Appendix A of the License Order includes CWA Section 401 water quality certification conditions. Upon FERC's issuance of a new license for the Project, PacifiCorp Energy shall comply with certification conditions that relate to the following:

- Temperature;
- Hydrogen ion concentration (pH);
- Biological criteria and protection of beneficial use of anadromous fish passage, salmonid spawning, salmonid rearing, and resident fish and aquatic life under other appropriate laws;
- Aesthetic conditions, turbidity, and sediment;
- Bacteria and bacteria pollution;
- Dissolved oxygen (DO);
- Habitat and flow modification, deleterious conditions, taste, and odor;
- Nuisance algae;
- Total dissolved gas;
- Objectionable discoloration, scum and oily slick, and spill and waste management;
- Total dissolved solids;
- Toxic substances;
- CWA Section 401 certification modifications;
- Project changes;
- Project repair or maintenance;
- Project inspections;

- Project-specific fees;
- Monitoring;
- Posting of CWA Section 401 certifications;
- Temperature management plan (Exhibit A of Appendix A);
- Stream temperature monitoring plan (Exhibit B of Appendix A);
- Limitations of temperature management plan (Exhibit C of Appendix A);
and
- Water quality monitoring location identifications (Exhibit D of Appendix A).

The RCC is not responsible for facilitating or coordinating CWA Section 401 water quality certification conditions that ODEQ developed and FERC included in the License Order, Appendix A. Implementation of these conditions will be performed by PacifiCorp Energy in consultation with ODEQ.

5.1.4 Generation and Transmission Line Operations-Related Construction and Rehabilitation Projects

Ongoing Project operations require periodic O&M and related construction activities. These activities will be implemented over the term of the new license by PacifiCorp Energy and will be coordinated with appropriate individual agencies. Such activities may include T-line pole testing and replacement, major road and bridge repair, penstock replacement, communication site and fiber optic construction, canal repair and renovations, etc.

Refer to Section 5.2.4 of this Plan for a description of general, major, and emergency maintenance activities and their definitions, and emergency operational events.

Operations

In addition to planning and coordinating PM&Es, PacifiCorp Energy will consult with appropriate federal land management agencies (USDA-FS and USDI-BLM) regarding the planning of other ongoing Project O&M and related construction activities that are scheduled, or ground-disturbing activities on federal lands. Planned scheduled operational activities will be added to Exhibit E after they are defined by PacifiCorp Energy.

Maintenance

In addition to the planning of maintenance-related PM&Es, PacifiCorp Energy will consult with federal land management agencies (USDA-FS and USDI-BLM)

regarding the planning of other ongoing Project O&M and related construction activities that are scheduled, or ground-disturbing activities on federal lands. These scheduled maintenance-related projects will be added to Exhibit E after they are defined by PacifiCorp Energy.

Construction

PacifiCorp Energy will consult with federal land management agencies (USDA-FS and USDI-BLM) regarding new Project-related construction activities that are planned and scheduled, or ground- or habitat-disturbing activities on federal lands. Scheduled projects will be added to Exhibit E by PacifiCorp Energy after they are defined and if RCC coordination is needed.

5.2 Review and Approval Processes

The SA and License Order describe the review and approval procedures for certain PM&Es. However, where specific review and approval processes are not fully provided, this Plan provides further process clarification and guidance.

Over the term of the license, implementation of the SA and License Order will involve coordination, review, and approval processes. The RCC will be involved in many of these processes, particularly facilitating the reviews and approvals of individual Parties involved in new construction projects. Ongoing Project O&M and related construction activities will involve primarily federal land management agencies (USDA-FS or USDI-BLM).

RCC meetings will be used to facilitate and coordinate the types of reviews and approvals listed below; actual approval authority resides with individual Parties as defined in the SA and License Order.

- PM&E Construction Related Activities – Facilitation and coordination of review and approval of plans and designs to implement construction-related PM&Es summarized in Exhibit E, either individually or as part of resource-specific management plans, as defined in the SA (Exhibit E);
- PM&E O&M Related Activities – Facilitation and coordination of review and approval of actions to implement O&M-related PM&Es summarized in Exhibit E, either individually or as part of resource-specific management plans, as defined in the SA and License Order;
- PM&E Effectiveness Monitoring – Facilitation and coordination of review and approval of the effectiveness of certain PM&E designs and operations based on monitoring results, as defined in the SA. Effectiveness monitoring results may suggest potential design or operational modifications;

- PM&E Construction Implementation Monitoring – Facilitation and coordination of review and approval of monitoring results of certain construction-related PM&Es as defined in the SA to confirm proper construction per approved designs; and
- PM&E Plan Approvals - Facilitation and coordination of review and approval of resource-specific management plans.

Individual Parties will be principally involved in the following types of reviews and approvals:

- USDA-FS and USDI-BLM - Ongoing Project O&M and Related Construction Activities – Review and approval of ongoing Project O&M activities on federal land that are planned by PacifiCorp Energy, including general, major, and emergency maintenance activities that are ground disturbing and may impact sensitive habitat; and
- FPA Section 4(e) Final Terms and Conditions – Review and approval of conditions by USDA-FS and USDI-BLM.

A discussion of review and approval processes for the four types of implementation (SA PM&Es, Other License Requirements, CWA Section 401 Water Quality Certification Requirements, and Generation and T-Line Operations-Related Construction and Rehabilitation Projects) follows in the next section.

5.2.1 SA PM&Es

This section describes the review and approval process for SA PM&E implementation, including construction, O&M, effectiveness monitoring, construction monitoring, Plan review, and permitting compliance.

Construction-Related PM&E and Operations and Rehabilitation Review and Approval Processes

The overall review and approval process for new construction-related PM&Es and operations-related construction and rehabilitation projects is depicted in Figure 5.2-1. As depicted in Figure 5.2-1, this review and approval process is defined as a series of six phases. These six phases (I through VI) are defined as:

- Phase I – Pre-Planning
- Phase II – Annual RCC Meeting
- Phase III – Work Plan Development
- Phase IV – Site Plan and Design Approval

- Phase V – Construction
- Phase VI – Post-Construction

Figure 5.2-2 provides specific details on this six-phase process used for construction-related PM&Es and operations-related construction and rehabilitation projects. This figure includes detail on products to be developed during each phase, specific work flow steps to be accomplished in each phase in a step-by-step fashion with return loops where necessary (e.g., 30%, 60%, and 90% design phases), and responsibilities of different organizations during each step and phase.

Phase I – Pre-Planning

Phase I pre-planning activities are conducted by PacifiCorp Energy and agencies involved in updating Rolling Action Plans. These activities are performed in preparation for the Annual Meeting (in Phase II). Exhibit E is updated and the status of all PM&Es is reviewed. Completed PM&Es are noted and PM&Es to be addressed in the next 1-3 years are identified.

Phase II – Annual RCC Meeting

Phase II includes the Annual Meeting of the RCC Plenary and is organized by PacifiCorp Energy. An update of Exhibit E is reviewed showing progress on all PM&Es. A PM&E action list is developed showing which PM&Es that the RCC Plenary will be involved in, with emphasis on the current year's activities. TWG assignments for the year are determined by the RCC Plenary at this January meeting.

PacifiCorp Energy and the RCC Plenary conclude this meeting with an agreed-upon plan for the coming year(s). Some PM&E due dates may be adjusted. PacifiCorp Energy will discuss planned operations-related capital construction and rehabilitation projects (if known) with the appropriate Parties.

Phase III – Work Plan Development

Phase III includes development of Work Plans (Exhibit G) for PM&Es. PM&Es have been assigned complexity ratings (high, medium, and low) in Exhibit E that indicate the amount of effort needed to complete reviews and approvals. Low complexity projects typically require minor or no Work Plans. In contrast, medium to high complexity projects do require Work Plans. As PacifiCorp Energy and the agencies review draft Work Plans, the Parties may decide to increase or decrease complexity ratings of each PM&E.

PacifiCorp Energy will draft Work Plans and forward them to the appropriate TWG, or other entities as appropriate. Low complexity projects typically move into the next phase, Phase IV. Medium and high complexity projects typically take more time due to the additional detail that is required. Work Plans, and their associated attachments, move progressively forward from the TWG to the approving agencies for review and a commitment to the Work Plan. At this point, a determination is made whether an SA Amendment is needed to proceed with work described in the Work Plan. Following a commitment by the approving agencies, the Work Plan then moves to PacifiCorp Energy for approval.

For ongoing Project O&M and related construction activities, a Work Plan may or may not be needed. If a Work Plan is needed and is created, it will be reviewed by the approving agency and, if acceptable, will move forward to Phase IV.

Site plans, or site-specific plans, may or may not be needed as a Work Plan attachment, depending on the complexity of the PM&E. At this stage, any site plan would be conceptual only.

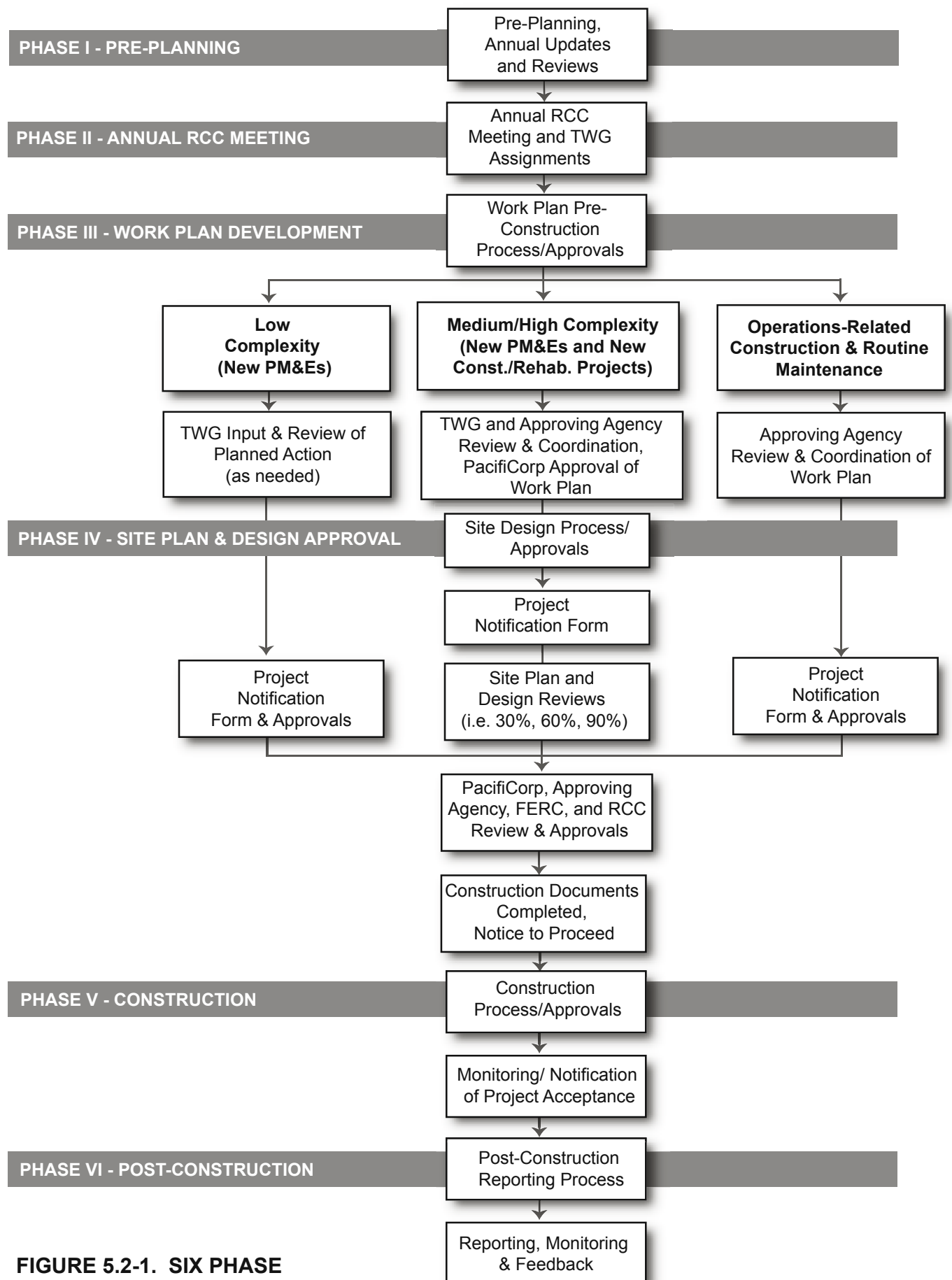
Phase IV – Site Plan and Design Approval

The SA provides review and approval procedures for construction-related PM&Es, and PacifiCorp Energy will continue to follow such procedures. SA Section 21.5 requires that PacifiCorp Energy develop site-specific plans for PM&E construction activities potentially resulting in ground or habitat disturbance. PM&E site-specific plans shall be prepared in accordance with the SA implementation schedules.

PacifiCorp Energy will complete and distribute, for review and approval, a Project Notification Form for each action requiring construction (Exhibit H). The Project Notification Form will be used to coordinate and facilitate review and approval of site-specific plans and designs during Phase IV.

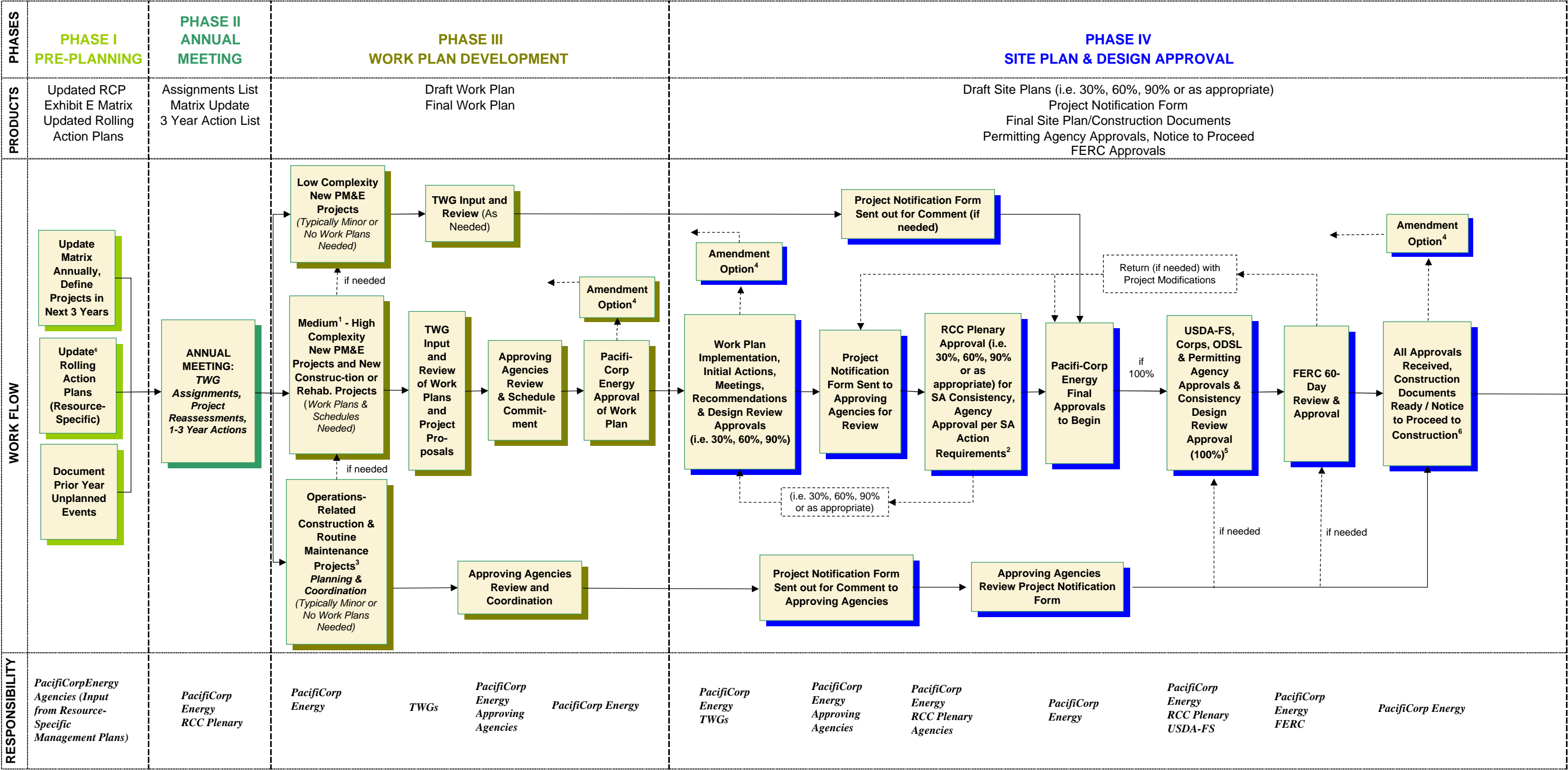
PacifiCorp Energy will submit PM&E site-specific plans to the agencies for approval, as specified in the SA and Project Notification Form, prior to initiating construction activities and before filing a construction schedule with FERC. Phase IV involves the development and review of these PM&E site-specific plans (conceptual, detailed, and final).

For low complexity projects, design details may initially be conceptual and will be coordinated by PacifiCorp Energy with the appropriate Parties. Approvals of plans are sought from land management and permitting agencies.



**FIGURE 5.2-1. SIX PHASE
PROCESS FOR CONSTRUCTION
PROJECT IMPLEMENTATION**

Back of figure



Notes:

¹ MEDIUM complexity actions may go to the LOW complexity path after initial screening.

² RCC meeting notes will be used to document any agency approvals with exception of USDA-FS. They will issue a Notice to Proceed.

³ If Work Plans and Site Plan/Design Approvals are required, move the process up to the Low or Medium-High Complexity PM&E Project work flow lines.

⁴ Amendment Option to be determined if necessary by the Parties; return to appropriate phase and task as needed.

⁵ May include USDA-FS Notice to Proceed in cases when all submittals are not completed during design review (see Exhibit I).

⁶ USDA-FS issues a Notice to Proceed in cases when all submittals are not completed during design review (see Exhibit I).



FIGURE 5.2-2. PROCESS FOR NEW PM&E AND
OPERATIONS-RELATED
CONSTRUCTION PROJECT IMPLEMENTATION

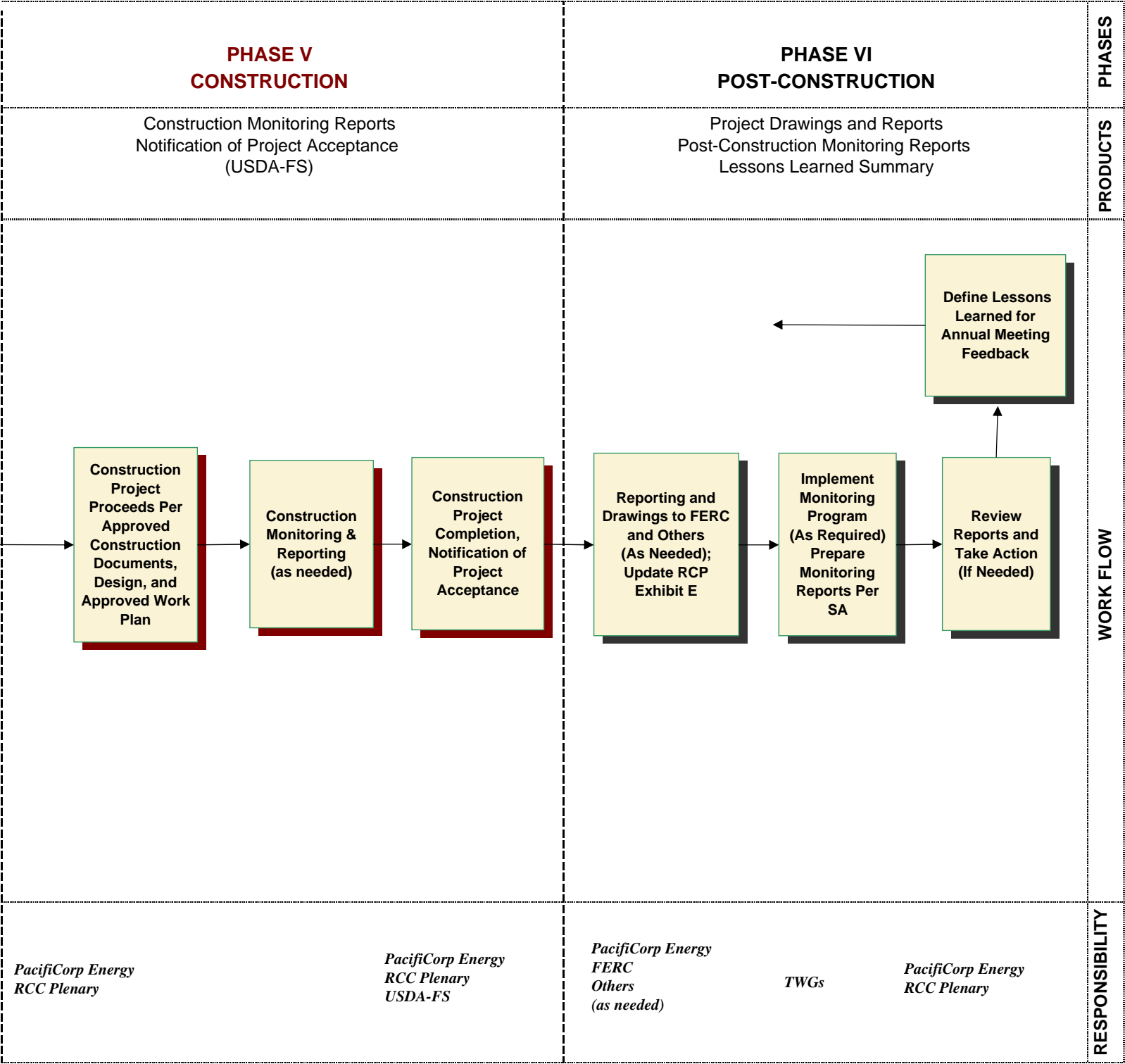


FIGURE 5.2-2. PROCESS FOR NEW PM&E AND
OPERATIONS-RELATED
CONSTRUCTION PROJECT IMPLEMENTATION

Site-specific plans then move from PacifiCorp Energy to permitting agencies, and then to FERC for approval. Construction documents, if needed, will be prepared after conceptual designs are approved.

Medium and high complexity projects require additional steps, including the development and review of conceptual and final plans and required construction documents (see Section 1.5 – Terms and Definitions). Reviews by land management agencies and permitting agencies are also typically required.

Once all approvals and permits have been received, construction documents go to FERC for review and approval.

The same process generally applies to ongoing Project O&M and related construction activities. As approvals are received from approving agencies, a project will move from planning to design, then into construction document preparation, agency permitting, and finally FERC approval.

During Phase IV, PM&E approvals should be completed in a timely manner to facilitate a practical construction schedule. The Coordination Calendar (Exhibit F) defines critical dates and targeted timeframes for coordination and decision-making.

Phase V – Construction

Phase V involves construction of new PM&Es or operations-related capital construction. Construction projects will proceed per approved construction documents. During construction, projects will be monitored to ensure that work proceeds according to plan. Monitoring reports will be prepared and reviewed as necessary. When projects are approved, notification of project acceptance is received by PacifiCorp Energy from the USDA-FS, if applicable.

Phase VI – Post-Construction

Phase VI involves distribution of plans to FERC and others as needed, and implementation of post-construction monitoring, if required by the SA. If monitoring results indicate that corrective measures are needed, actions will be taken as appropriate. “Lessons learned” will be discussed by the Parties so that the next construction projects may proceed more smoothly if possible.

PM&E Project Complexity Ratings – Low, Medium, and High

Planned activities for each PM&E implementation will be scheduled and planned based on a PM&E complexity rating (low, medium, or high) as defined in

Exhibit E. Low complexity PM&Es may require up to 15 to 24 months of advance preparation and notice. Medium complexity PM&Es may require up to approximately 3-4 years of advance preparation and notice, and high complexity PM&Es may require up to 4-5 years to complete.

PM&E Work Plans – Getting Coordinated Right from the Start

Phase III (Figure 5.2-2) requires the development of Work Plans for all medium to high complexity PM&Es and some low complexity projects. A Work Plan form is included in Exhibit G of this Plan. The Work Plan will define all of the necessary information required for a construction project to move forward with clarity. Several attachments may be appended to a Work Plan to provide needed detail where necessary.

Work Plan details will include the following:

- Project name and/or description
- SA and License Order references
- Target start date
- TWG or other assignments
- Project description in detail
- PacifiCorp Energy and agency lead personnel
- Personnel and agencies involved in the project including their roles and authorities
- Support resources needed
- Agency review and approvals needed
- Necessary permits and other agency approvals required
- Project goals
- Project design criteria to be used
- Funding sources
- SA or License Order clarifications
- Project schedule by phase (I to VI) including start and completion dates
- Attachments including detailed schedules, site plans, meeting notes, etc.

Process for Less Complex PM&E Construction Projects Requiring No Work Plans

For construction projects that do not require a Work Plan because they are less complex and simpler to execute, PacifiCorp Energy will prepare a package of documents for the PM&E project. This package will describe the construction project, provide site plans, define a construction and implementation schedule, define required approvals and permits, and define monitoring needs, if any. PacifiCorp Energy will provide a minimum of 30 days for review of such packages. PacifiCorp Energy will notify the Parties of review periods and deadlines when providing these packages for review and approval. By the close of a review period, the Parties will submit all comments or approvals to PacifiCorp Energy. In the event a Party is unable to issue timely comments or approvals, it may request a reasonable extension of time (weeks). However, PacifiCorp Energy reserves its right to submit required plans and documents, including a consultation record, to FERC for its review and approval to meet license requirements. Thereafter, the Parties may submit comments to FERC and the other Parties.

O&M-Related PM&E Review and Approval Process

O&M-related PM&Es are defined in Exhibit E. Review and approval of these PM&Es will follow the same general process as those for construction-related projects as noted previously and in Figure 5.2-2; however, site plans/design plans may or may not be required. A Work Plan will be required if a PM&E is of medium to high complexity per Exhibit E. Review and approval by the appropriate Parties will be accomplished using this process. If the O&M-related PM&E is less complex to implement and a Work Plan is not needed, the previous process using no Work Plan as described above may be used for review and approval.

Effectiveness Monitoring PM&E Review and Approval Process

PacifiCorp Energy and the RCC will conduct effectiveness monitoring activities as part of implementing specific PM&Es as defined in the SA and Exhibit E and summarized below. The review and approval process for each monitoring plan will be defined in consultation with the RCC. Specific details will be defined before a PM&E is implemented and will be defined in a Work Plan (Exhibit G), depending upon the complexity. TWGs, in consultation with PacifiCorp Energy, will review the results of effectiveness monitoring reports that will be prepared for selected PM&Es. Review and approval of effectiveness monitoring results will be done within TWGs.

PM&Es with effectiveness monitoring components per the SA include:

- Soda Springs Gravel Augmentation Monitoring Plan (Section 7.2.2 of Amendment 1 to the SA): Document the effects of augmenting gravel downstream of Soda Springs throughout the new license period;
- Slide Creek Bypass Reach Habitat Enhancement Project (SA Section 8.2.2): Evaluate the quality and quantity of spawning habitat;
- Soda Springs Bypass Reach Alluvial Restoration Project (SA Section 8.3.3 and Amendment 1): Evaluate the quality and quantity of spawning habitat; and
- Wildlife Crossings (SA Section 11.3): Evaluate the efficacy of wildlife crossings.

Construction Implementation Monitoring PM&E Review and Approval Process

Monitoring plans are defined in Section 5.1.1 of the Plan. PacifiCorp Energy will conduct construction implementation monitoring activities as part of implementing specific PM&Es as defined in the SA and License Order. PacifiCorp Energy and the RCC will determine if there is a required monitoring component of a PM&E prior to construction. The process used for each construction monitoring effort will be communicated during the PM&E planning and approval process and may involve development of a Work Plan (Exhibit G), depending on its complexity. PacifiCorp Energy and the appropriate agencies, such as the USDA-FS, will conduct PM&E construction implementation monitoring and will report to the RCC as necessary.

PM&E Plan Review and Approval Process

The SA provides for the development and approval of a variety of plans, ranging from resource-specific management plans, such as the RRMP, to specific PM&Es, such as the Soda Springs Fish Ladder Operations and Maintenance Plan. Each type of plan requires a unique approach that will address the plan's requirements. Plans that have been developed and approved prior to the approval of this Plan will also require periodic review and updating.

The Annual Meeting and Exhibit E updates will be used to track the various SA-identified plans and to periodically confirm their relevancy and need for updating. If a plan is determined to be out of date and needs updating, a TWG may be assigned to address the particular update. The Parties will collectively approve a schedule for completion of a plan. Following approval of a schedule, the Parties will meet defined review and comment periods for each plan to permit PacifiCorp Energy's compliance with the license. In the event a Party is

unable to provide timely comments or necessary approvals, it may request a reasonable extension of time (weeks). However, PacifiCorp Energy reserves its right to submit required plans to FERC for its review and approval if PacifiCorp Energy determines it must do so to comply with the terms of the License Order. Thereafter, the Parties may submit comments to FERC and the other Parties.

PM&E-Related Permits and Compliance Review and Approval Process

PacifiCorp Energy is responsible for obtaining all necessary permits from federal, state, and local agencies related to implementation of the SA and License Order. PacifiCorp Energy will apply for required permits in a timely fashion such that the schedule for PM&E implementation (in Exhibit E) is not jeopardized, to the extent practicable.

FERC, as the federal action agency through the issuance of the license, is responsible for ESA, NEPA, and National Historic Preservation Act (NHPA) Section 106 compliance. To meet this compliance obligation, FERC has addressed their FPA obligations as follows.

Endangered Species Act and Biological Opinions

Section 7(a)(2) of the ESA requires federal agencies to ensure that their actions are not likely to jeopardize the continued existence of federally listed threatened and endangered species, or result in the destruction or adverse modification of designated critical habitat. Section 7(c)(1) of the ESA provides for the action agency to conduct a Biological Assessment. Section 7(b)(3)(A) requires that the USDI-FWS and NOAA-NMFS provide a Biological Opinion. FERC received Biological Opinions from the USDI-FWS and NOAA-NMFS in December 2002. Each of these Biological Opinions determined that the SA and the prevailing license did not adversely affect listed species. In their Biological Opinions, both the USDI-FWS and NOAA-NMFS included incidental take statements with measures, terms, and conditions.

USDI-FWS specified three measures:

- Prevent disturbances to northern spotted owls and bald eagles during nesting season;
- Protect the nest grove of active spotted owl pairs and active bald eagle nests; and
- Prevent impacts to deer.

NOAA-NMFS specified five measures:

- Provide adequate instream flows, minimize flow fluctuations, manage riparian vegetation, and control erosion and sediment;
- Restrict instream construction activities to recommended time periods;
- Provide upstream fish passage and fish screens for downstream passage;
- Restore fluvial geomorphic processes, enhance spawning habitat, provide additional aquatic connectivity, provide access to upstream habitat, and fund tributary enhancement; and
- Monitor the effectiveness of these measures.

Under Section 7(o)(2) of the ESA, any incidental taking from Project-related construction or operation must be in compliance with the terms and conditions of an incidental take statement to avoid being considered a prohibited taking of the species. Many of the incidental take terms and conditions are also part of the SA. RCP Insert

Relevant ESA and Biological Opinion related terms and conditions are made part of the License Order in Articles 404 through 412, as listed below.

- Article 404 – Spawning Habitat Enhancement (see Settlement Agreement Section 7.2)
- Article 405 – Enhancement Funding (for tributary enhancement, monitoring and predator control plans, a mitigation fund, and an early implementation fund)
- Article 406 – Vegetation Management Plan (VMP)
- Article 407 – Construction Plan (for activities near watercourses)
- Article 408 – Post-Construction Monitoring Reports (Settlement Agreement Section 14.5)
- Article 409 – Spotted Owl Management
- Article 410 – Deer Management
- Article 411 – Threatened and Endangered Species Monitoring
- Article 412 – Bald Eagle Reporting (Settlement Agreement Section 13.1)

PacifiCorp Energy is responsible for following the incidental take statements with measures, terms, and conditions contained within each Biological Opinion. Further consultation throughout the license term will be determined by FERC and PacifiCorp Energy, if necessary.

Sensitive Species and Survey & Manage Species

Prior to issuance of a Notice to Proceed with habitat or ground-disturbing activities on NFS lands, PacifiCorp Energy is responsible for complying with SA Section 21.5, and FPA 4(e) Nos. 14 and 17, Sensitive Species and Survey and Manage Species protocol surveys for plant and wildlife species. Review and approval processes and schedules will be determined through consultation with the USDA-FS. The process will be outlined in the Special Status, Sensitive, and Survey and Manage Species Plan (Terrestrial Species Plan) (in process in 2006).

National Environmental Policy Act

In 2002, the USDA-FS revised its policy on performing NEPA analysis on FERC-approved actions, resulting in FERC being considered the federal action agency. The FERC issued a Final Environmental Impact Statement (FEIS) (FERC 2003b) determining the Preferred Alternative as the SA with staff recommendations, later issued as the FERC License in November 2003. The FEIS addressed the SA and the License Order's actions under the provisions of the FPA. FERC, as the federal action agency, will determine the need to conduct additional NEPA evaluations for license-required measures, including any review and approval processes. This process is described in a Memorandum of Understanding (MOU) and exchanged letters (Exhibit I). PacifiCorp Energy and the USDA-FS developed the MOU dated June 23, 2004, and exchanged letters dated November 7 and October 27, 2005, to define how these Parties will comply with NEPA. This MOU and exchanged letters include supporting documentation as required in SA Section 21.5 (Exhibit I).

National Historic Preservation Act, Section 106

FERC is considered the federal action agency requiring compliance with Section 106. FERC developed a Programmatic Agreement accepting the HPMP as the instrument to ensure that resource protection would be followed. PacifiCorp Energy, USDA-FS, USDI-BLM, and the State Historic Preservation Office (SHPO) are collaborative partners to ensure that the terms of the HPMP are followed. FERC, as the federal action agency, will determine if any future actions require further Section 106 consultation, including any review and approval processes. PacifiCorp Energy will follow all procedures in the HPMP (PacifiCorp Energy 2006) for ground-disturbing actions.

5.2.2 Generation and Transmission Line Operations-Related Construction and Rehabilitation Projects

PacifiCorp Energy will track and coordinate Project generation and T-line O&M and related construction activities in its EMS. Review and approval of

construction projects and the general process used to coordinate such activities are presented in Figure 5.2-2. Activities that are listed in Exhibit E of this Plan will be coordinated and approved with the RCC and/or individual agencies, as appropriate.

Generation and T-line O&M and construction activities generally fall into one of four categories:

- General maintenance (routine activities);
- Major maintenance or construction (non-routine activities that may or may not be known in advance);
- Emergency maintenance (non-routine/emergency activities); and
- Emergency operational events.

General Maintenance Activities

These maintenance activities typically involve routine Project activities that are known well in advance. PacifiCorp Energy will track these activities through its EMS. PacifiCorp Energy will describe known general maintenance actions at the Annual Meeting involving the RCC Plenary, USDA-FS, or UDSI-BLM, as appropriate. If agencies have concerns regarding a general maintenance activity, they are to coordinate with the PacifiCorp Energy EC within 45 days of notice. General maintenance activities, listed in detail in Table 5.2-1, include:

<u>Transmission Lines</u>	<u>Hydro Facilities</u>
<ul style="list-style-type: none">• Aerial Inspections• Ground Inspections• Pole Testing and Treatment• Insulator Replacement• Cross Arm Replacement• Anchor Wire Replacement• Vegetation Management• Road Maintenance	<ul style="list-style-type: none">• Waterway Inspections• Substation Inspections• Forebay Inspections• Vegetation Management• Road Maintenance• Snow Removal• Dam and Penstock Inspections• Bridge Inspections

Major Maintenance or Construction Activities

These activities involve non-routine Project maintenance activities that are often, but not always, known well in advance. PacifiCorp Energy will provide a list and a tentative schedule for known major maintenance or construction actions at the

Annual Meeting involving the RCC Plenary, USDA-FS, or USDI-BLM, as appropriate. If agencies have concerns regarding a major maintenance or construction activity, they are to coordinate with the PacifiCorp Energy EC within 45 days of notice.

PacifiCorp Energy will ensure compliance with SA requirements and permits needed through their EMS. Major maintenance projects that involve powerhouses or other structures that have the potential for planned or unplanned flows in bypass reaches or waterways will be coordinated with the USDA-FS.

PacifiCorp Energy will coordinate with the USDA-FS and/or USDI-BLM to determine if additional resource protection measures may be needed for actions that have the potential for habitat- or ground-disturbing activities, or may take place during the fire season. PacifiCorp Energy will implement identified resource protections as part of maintenance activities, consistent with the requirements of the SA, FPA Section 4(e) Final Terms and Conditions, and plans defined in Exhibit E.

Major maintenance or construction activities, listed in detail in Table 5.2-2, include:

Transmission Lines

- Pole Replacement
- Conductor Replacement
- Road or Bridge Reconstruction
- New Road or Bridge Construction

Hydro Facilities

- Canal Maintenance
- Exterior Penstock Maintenance
- Sediment Removal/Disposal
- Road or Bridge Reconstruction
- New Road or Bridge Construction
- Underground Utility Maintenance (water, sewer, electrical lines)
- Other Minor Construction

Emergency Maintenance Activities

These maintenance activities involve non-routine/emergency Project activities that are not known in advance and are urgent. Emergency maintenance activities must be implemented quickly to avoid, to the greatest extent possible, situations that could threaten life, property, or resources. Examples of emergency maintenance activities include activities necessary to correct a T-line pole or conductor failure, waterway failure, or hazardous material spill. In these cases, PacifiCorp Energy will notify the appropriate federal land management agency concurrently with responding to the emergency.

Table 5.2-1. Examples of typical general maintenance activities.

Typical Activity	Description of Example	Equipment Used	Frequency	Additional Permits or Special Measures ¹
<u>Transmission Lines</u>				
Aerial Inspection	Aerial survey of all transmission lines	Helicopter	2 times per year	Would not be required
Ground Inspection	Visual and physical inspection of lines and poles to detect any problems	ATV, 4wd truck, pedestrian access	Annual	Would not be required
Pole Testing and Treatment	Take bore samples from poles and treat poles with chemical preservative	ATV, 4wd truck, pedestrian access	10-year cycle	Would not be required
Insulator Replacement	Replacement of an insulator upon failure	ATV, 4wd truck, large equipment	As needed	Would not be required
Cross Arm Replacement	Supporting cross arm to poles dragged or trucked to site and replaced	4wd truck, boom truck	As needed	May be required
Anchor Wire Replacement	Replacing anchor wires	4wd truck, excavator, other equipment	As needed	May be required
Vegetation Management	Clearing of trees and hazard tree branches from ROWs that are near T-lines	ATV, 4wd truck, chainsaws, chipper, mower	10-year cycle	May be required
Road Maintenance	Vegetation removal, waterbar installation, culvert installation, etc.	4wd truck, D8-CAT, grader, excavator	As needed	May be required
<u>Generation</u>				
Waterway Inspection	Visually inspect waterways by traveling on adjacent access roads	4wd truck	Daily	Would not be required
Substation Inspection	Visual and physical inspection of substation equipment to detect any problems	Would not be required	Annual	Would not be required
Forebay Maintenance	Remove trash rack vegetation	4wd truck	As needed	Would not be required
Vegetation Management	Remove vegetation adjacent to canals or forebays	4wd truck, chainsaw, chipper, loader with claw shovel	4-year cycle	May be required
Road Maintenance	Periodic rocking, grading, waterbar establishment, or	4wd truck, D6/D8-CAT, grader, excavator, dump truck	As needed	May be required

Table 5.2-1. Examples of typical general maintenance activities.

Typical Activity	Description of Example	Equipment Used	Frequency	Additional Permits or Special Measures ¹
	culverts or drains			
Snow Removal	Remove snow from roads	Snow plow	As needed	May be required
Dam and Penstock Inspections	Visually inspect dams and penstocks for damage	4wd truck	Daily	Would not be required

¹Refers to potential need for permits or special measures in addition to constraints/measures identified in the Plan and all resource-specific management plans.
ATV = all-terrain vehicle; 4wd = 4-wheel drive vehicle.

Table 5.2-2. Examples of typical major maintenance and construction activities.

Activity	Description	Equipment Used	Frequency	Additional Permits or Special Measures ¹
<u>Transmission Lines</u>				
Pole Replacement	Access site, create landing pad and pole laydown area, dig new pole holes and anchor wire holes, restring conductor	4wd truck, boom truck, FMC, excavator, D8-CAT, line truck	20-year cycle (approx.)	May be required
Conductor Replacement	Replacing conductor typically associated with a pole change-out, windfall, or lightning strike	4wd truck, boom truck, and line truck	As needed	May be required
Road or Bridge Reconstruction and New Construction	Altering the alignment of any existing access, creating new access, grading, etc.	4wd truck, D8-CAT, grader, excavator	As needed	May be required
<u>Generation</u>				
Canal Maintenance	Drain canals, remove debris, patch canals	4wd truck, dump truck, Bobcat, excavator	Yearly	May be required
Exterior Penstock Maintenance	Paint penstocks using approved color	4wd truck, other equipment	As needed	May be required
Sediment Removal/Disposal	Drain forebay, excavate sediment, transport to approved disposal site	4wd truck, excavator, dump truck	As needed	May be required
Road or Bridge Reconstruction	Altering the alignment of any existing access, creating new access, grading, etc.	4wd truck, D6/D8-CAT, grader, excavator, dump truck	As needed	May be required
New Road or Bridge Construction	The creation of any new road segment where no road formerly was located	4wd truck, D6/D8-CAT, grader, excavator, dump truck	As needed	May be required
Underground Utility Maintenance	Maintenance of water, sewer, and electrical line systems	Varies by project	As needed	May be required
Other Minor Construction	Varies by project	Varies by project	As needed	May be required

¹Refers to potential need for permits or special measures in addition to constraints/measures identified in the Plan and all resource-specific management plans.

ATV = all-terrain vehicle; 4wd = 4-wheel drive vehicle; FMC = Food Machinery Corporation.

Emergency Operational Events

Emergency operational events at the Project may result from major equipment failure, canal flume breaches, or other similar emergencies. Such events may cause flows to be outside their ramping limits, major erosion events, or other impacts. Should an accidental spill or discharge from the waterway system or other major erosive event occur, or should the emergency shutdown system be tripped, PacifiCorp Energy will take necessary actions to address the event. Required responses to such emergency events are defined in several plans and procedures, depending upon the event, including:

- Emergency Action Plan (required by FERC)
- Spill Control, Containment, and Countermeasure Plan (required by FERC)
- SA Section 14.3 to 14.3.3 regarding timely responses to erosive events
- FPA Section 4(e) Terms and Conditions No. 14 (License Order Appendix B)
- Flow Monitoring Plan procedures
- Fire Management Plan procedures
- Erosion Control Plan (ECP) procedures
- PacifiCorp Energy Environmental Management System (EMS) procedures (internal to the Company)

Notification of such emergency events will be made by PacifiCorp Energy to USDA-FS, ODEQ, and ODFW within 24 hours or less, depending upon the severity of the event.

5.2.3 Other License Requirements

The License Order includes other license requirements in addition to the SA PM&Es. Many of these requirements have been dual-referenced and described as both the License Articles and SA PM&Es. Most notable of these requirements are FPA Section 4(e) Final Terms and Conditions, prepared by the USDA-FS and USDI-BLM and included by FERC in Appendices B and C of the License Order.

These other license requirements will be tracked in PacifiCorp Energy's Environmental Management System (EMS) and in Exhibit E of this Plan, as appropriate. Review and approval of other license requirements will be documented in Work Plans (Exhibit G) and/or through other consultation with agencies.

Some license requirements that are not in the SA pertain only to individual agencies, such as the USDA-FS and USDI-BLM, as listed in Section 5.1.2 of this Plan. These actions, such as obtaining a USDA-FS Land Use Authorization and a USDI-BLM Grant of ROW, will be addressed through consultation between PacifiCorp Energy and the agencies.

5.2.4 CWA Section 401 Water Quality Certification Requirements

The RCC will not be involved in this specific license requirement. PacifiCorp Energy will consult with ODEQ, as necessary, to comply with CWA Section 401 certification conditions (Appendix A of the License Order). Section 5.1.3 of this Plan includes a summary list of these conditions.

PacifiCorp Energy will use its EMS to track and monitor these certification conditions and to ensure compliance. Several new monitoring requirements will be integrated into Project operations. PacifiCorp Energy will prepare monitoring reports per Section 401 requirements and will discuss the results with ODEQ, as required in the certification conditions.

These Parties will update their contact information as needed to allow for 24-hour communication, 365 days of the year.

As part of the ongoing coordination process, agencies may require a post-event site visit to evaluate the adequacy of PacifiCorp Energy's response, as well as subsequent meetings to discuss the event and any mitigation measures implemented or proposed. Where post-event site visits are required on NFS lands, these will be followed by a Notice of Project Acceptance.

PacifiCorp Energy will coordinate with the USDA-FS and/or USDI-BLM to determine if additional resource protection measures may be needed for actions that have the potential for disturbing sensitive habitat, are ground-disturbing, or may take place during the fire season. PacifiCorp Energy will implement identified resource protections as part of maintenance activities, consistent with the requirements of the SA, FPA Section 4(e) Final Terms and Conditions, and plans defined in Exhibit E.

Should an accidental spill or discharge from the waterway system or other erosive event occur, PacifiCorp Energy will take the actions specified in SA Section 14 (i.e., notification of the Oregon Emergency Response System, and coordination of remedial measures within 24 hours of the event).

PacifiCorp Energy will also present information related to emergency maintenance activities at the following year's Annual Meeting if it involves the

RCC. In addition, the emergency response will be addressed through the PacifiCorp Energy EMS, or its replacement.

5.3 Monitoring and Reporting

Long-term monitoring plans are summarized in Exhibit E. These monitoring plans will be planned and conducted by PacifiCorp Energy, and the results will be reviewed with the RCC Plenary, TWGs, and/or individual agencies. A list of long-term monitoring plans and reporting includes:

- Soda Springs upstream and downstream passage monitoring (SA Sections 4.1, 4.1.2)
- Lemolo Lake operations, maintenance, and evaluation program monitoring (SA Section 9.3)
- Fish Creek downstream fish passage monitoring (SA Section 4.3.2)
- Instream flow monitoring (SA Section 5.5)
- Gravel augmentation monitoring (SA Section 7.2.3)
- Slide Creek baseline habitat survey monitoring (SA Section 8.2.3)
- Wild & Scenic River (W&SR) reach stage change records monitoring (SA Section 6.4.4)
- Soda Springs alluvial monitoring (SA Section 8.3)
- North Umpqua River habitat monitoring (SA Sections 8.3.3, 8.3.4)
- Emergency spill or failure notification (SA Sections 14.3.1, 14.3.2, 14.3.3, and FPA Section 4(e) Terms and Conditions No. 14)
- Long-term monitoring and predation plan monitoring (SA Section 19.2.2)
- Wildlife crossing monitoring plan (SA Section 11.3)
- Avian agreement records and database management monitoring (SA Section 13.4)
- TMP monitoring (SA Section 15.1, 15.6)
- ECP monitoring (SA Section 14.5)
- HPMP monitoring (SA Sections 18.1, 18.6)
- VMP monitoring (SA Section 12.1)
- Predator control monitoring (SA Section 19.2.2)
- Tributary enhancement account reporting and monitoring (SA Section 19.1.1.3)

- Monitoring and oversight costs (SA Section 19.4.1)
- RCP updates and program management (SA Sections 19.5, 21.1)
- RCC and EC meeting notes and reports (SA Sections 21.1 to 21.4)

Short-term monitoring of many PM&E projects involving construction is also required on federal lands. PacifiCorp Energy will plan and coordinate these short-term monitoring efforts with the TWGs and/or specific agencies, such as the USDA-FS, as appropriate.

PacifiCorp Energy will comply with all applicable monitoring and reporting processes contained in the SA, License Order, and applicable permits. The Parties shall be notified of the results of monitoring, and shall receive updates and reports as described in Section 21.4.2 of the SA. A summary of reporting actions is presented in Table 5.3-1.

5.4 Notification Requirements

PacifiCorp Energy is required to provide timely notification of progress made in the implementation of the SA and License Order, as well as notifications regarding events that may periodically occur with the ongoing operation of the Project, such as unexpected spills. There are generally three types of notifications made by PacifiCorp Energy to the RCC Plenary, other Parties, and FERC as summarized in Table 5.4-1, including:

- RCC Annual Meeting notifications (January each year)
- RCC Plenary notifications at meetings (throughout the year)
- Incident and emergency events (as they occur or thereafter)

Continued communication among the Parties, including proper notification, is an ongoing requirement of SA and License Order implementation. Required communication will be clearly defined in Work Plans (Exhibit G), Project Notification Forms (Exhibit H), and resource-specific management plans and PM&E-specific plans (Table 3.1-1), as appropriate.

Some specific notifications by PacifiCorp Energy, however, may change over time as various agencies desire to be more or less involved with PM&E implementation at different phases, or with the implementation of some plans during different phases. Changes in notification may be made at the RCC Plenary or TWG levels, or as various plans are updated or revised over time. Changes in notification will be documented in RCC Plenary and TWG meeting notes, and in updates of plans defined in Table 3.1-1, as appropriate.

Table 5.3-1. Reporting actions and schedule.

Type/Action	Primary Author	Report Format	Reporting Frequency/ Comments
Annual Report	PacifiCorp Energy	Summary report with detailed lists and attachments (if needed), including progress made in implementing PM&Es and programs per the SA and License Order; hardcopy and web postings.	Annual (SA Section 21.4.2) – See Exhibit F. RCC has 30-day review period; report is filed with FERC.
PM&E Construction Implementation Summary Progress	PacifiCorp Energy	Summary progress included in the Annual Report and in annual updates of the Exhibit E matrix.	Annual (SA Section 21.4.2).
PM&E Construction Notices to Proceed	USDA-FS	Notice to Proceed or Conditional Notice to Proceed.	As needed per each PM&E.
	FERC	Notices for final authorization	As needed per each PM&E.
Project O&M and Related Activities	PacifiCorp Energy	PacifiCorp Energy EMS; reports on Emergency Maintenance activities.	As needed, via the EMS.
		Rolling Action Plans	Annual.
PM&E Effectiveness Monitoring	PacifiCorp Energy, TWGs, and/or Contractors	Reports to the RCC and PacifiCorp Energy by TWGs.	As needed per each PM&E.
		Annual Report.	Annual (SA Section 21.4.2).
PM&E Construction Implementation Monitoring	PacifiCorp Energy/Agency and/or TWG	Reports to the RCC and PacifiCorp Energy by TWGs.	As needed per each PM&E (verbal presentation or written).
Flow Monitoring	PacifiCorp Energy	Per the SA.	Reporting per SA Sections 5, 6, and 21.4.2.
Resource-Specific Management Plans	Agency/ PacifiCorp Energy	Rolling Action Plans (where defined).	Annual, See Exhibit F.
		In specific reporting requirements of each plan.	Annual (SA Section 21.4.2).
TWG Reports	TWGs	RCC to define format.	Per RCC direction per revised Ground Rules for TWGs to be developed.
Recreation Resources Use and Capacity – FERC Form 80	PacifiCorp Energy	FERC Form 80.	Every 6 years.
Additional Reports to FERC (i.e., Quarterly Construction Reports)	PacifiCorp Energy	As required.	As required.

Table 5.4-1. Summary of notification requirements.

Notification Types	FERC	NOAA – NMFS	USDA-FS	USDI-BLM	USDI-FWS	ODEQ	OWRD	ODFW	RCC
RCC Annual Meeting Notifications (January Each Year)									
• PM&Es to be addressed in the current year and in the next 1-3 years									X
• PM&Es completed during the prior year									X
• Project O&M actions that are planned in the current year (if known)			X	X					X
• Project O&M actions during the prior year that were not previously listed									X
• Emergency events during the prior year that were not previously listed									X
RCC Plenary Notifications at Meetings (Throughout the Year)									
• Progress reporting on PM&Es that are in various phases of implementation (Phase I-VI) (also see Exhibit F Coordination Calendar)									X
• Project O&M actions planned or underway, depending on location			X	X					X
• Unplanned events that have occurred and responses, depending on location			X	X					X
• Annual Report – summary of activities and accomplishments each year	X								X
Incident and Emergency Events (As They Occur or Thereafter)									
• Flow events (see Flow Monitoring Plan, SA 5.5 – agencies may opt out)		X	X		X	X	X	X	X
• Ramping rate events (see Flow Monitoring Plan, SA 5.5 – agencies may opt out)		X	X		X	X	X	X	X
• Spill events			X			X		X	X
• Erosion events, depending upon location (see Erosion Control Plan, Section 6.3)			X	X		X		X	X
• Waterway failures (see Erosion Control Plan, Section 6.3)			X			X		X	X
• Emergency operational events (see Emergency Action Plan, and Spill Control, Containment, and Countermeasure Plan)	X								

In addition to PacifiCorp Energy notifications, the other Parties should make timely decisions whenever possible and provide proper notifications as defined in individual Work Plans (Exhibit G) and Project Notification Forms (Exhibit H), as well as notifications defined in resource-specific management plans and PM&E-specific plans (Table 3.1-1).

Section 5.2 (Review and Approval Processes) also describes various notifications of approval when site plans and designs have been accepted and approved, and when construction projects have been accepted and approved by the USDA-FS.

5.5 Mapping and Database Management

PacifiCorp Energy will maintain mapped Project information in a geographic information system (GIS) and other appropriate data in electronic databases. All suitable data will be available for use by the RCC as needed, such as the GIS-based Map Set for the TMP. PacifiCorp Energy will periodically update the GIS database.

The USDI-BLM, USDA-FS, and USDI-FWS will exchange species data with PacifiCorp Energy on an annual basis or as information becomes relevant and available for use on the Project.

6.0 PLAN REVISIONS AND UPDATES

This chapter describes how Plan revisions and updates will be considered over the term of the license. PacifiCorp Energy will update Exhibit E on an annual basis.

6.1 Rationale for Making Revisions

This Plan, including Exhibits A through J, will be updated as needed to ensure effective and efficient implementation of PM&Es, in accordance with the SA and License Order. Over time, information contained herein is intended to be updated and revised as new information is obtained and conditions or regulations change. Factors that may trigger a review and possible revision of this Plan include the following:

- PM&Es are implemented and completed and programs are no longer needed;
- The RCC Plenary and TWG meeting structure needs updating due to changing needs;
- Revisions and updates to the Umpqua National Forest FLRMP (USDA-FS 1990) occur (2008 is the next planned update, then approximately every 15 years thereafter) that may affect the Plan;
- Revisions and updates to the USDI-BLM Roseburg District RMP (USDI-BLM 1990) occur that may affect the Plan;
- Catastrophic natural events, such as major forest fires, windstorms, floods, or other natural disasters, occur; and
- New federal or state policies, regulations, and laws may be adopted that could affect Project facility operations or maintenance.



6.2 Frequency of Updates

This Plan may be reviewed and updated at any time as agreed upon by the Parties. The Plan should be reviewed at least once every 5 years and revised at least every 10 years during the license term. This review will occur via the RCP TWG, which would convene for this purpose. Any Party may submit in writing recommendations for changes to this Plan. PacifiCorp Energy will incorporate agreed-upon changes to this Plan into a revised Plan. Any disagreements on

revisions to the Plan may be submitted to the RCC Plenary for resolution;
thereafter, any disputes shall be addressed under Section 22 of the SA.

7.0 REFERENCES

FERC (Federal Energy Regulatory Commission). 2003a. Order Approving Settlement Offer and Issuing New License (License Order). North Umpqua Hydroelectric Project, FERC Project No. 1927-008. Washington, D.C. Issued November 18, 2003.

FERC. 2003b. Final Environmental Impact Statement (FEIS). Washington, D.C.

NOAA-NMFS (National Oceanic and Atmospheric Administration, National Marine Fisheries Service). 2002. Biological Opinion – Section 7 Consultation on the FERC Relicensing of the North Umpqua Hydroelectric Project. December 13, 2002. Portland, OR.



PacifiCorp. 1995. Application for a New License for Major Modified Project. Exhibit E. January 1995. Portland, OR.

PacifiCorp. 2004a. Aesthetics Management Plan (AMP). Prepared by EDAW, Inc. for PacifiCorp. Portland, OR.

PacifiCorp. 2004b. Erosion Control Plan (ECP) for the North Umpqua Hydroelectric Project, FERC Project No. 1927. Prepared by the Washington Group International for PacifiCorp. Portland, OR.

PacifiCorp. 2004c. Recreation Resource Management Plan (RRMP) for the North Umpqua Hydroelectric Project, FERC Project No. 1927. Prepared by EDAW, Inc. for PacifiCorp. Portland, OR.

PacifiCorp. 2004d. Vegetation Management Plan (VMP) for the North Umpqua Hydroelectric Project, FERC Project No. 1927. Prepared by EDAW, Inc. for PacifiCorp. Portland, OR.

PacifiCorp. 2004e. Transportation Management Plan (TMP) for the North Umpqua Hydroelectric Project, FERC Project No. 1927. Prepared by EDAW, Inc. for PacifiCorp. Portland, OR.

PacifiCorp. 2005. Fire Management Plan (FMP) for the North Umpqua Hydroelectric Project, FERC Project No. 1927. Portland, OR.

PacifiCorp Energy. 2006. Historic Properties Management Plan (HPMP) for the North Umpqua Hydroelectric Project, FERC Project No. 1927. Prepared by EDAW, Inc. for PacifiCorp Energy. Portland, OR.

PacifiCorp, USDA Forest Service, USDI Bureau of Land Management, USDI Fish and Wildlife Service, NOAA National Marine Fisheries Service, Oregon Department of Environmental Quality, Oregon Department of Fish and Wildlife, and Oregon Water Resources Department. 2001. North Umpqua Project Settlement Agreement (SA) (June 13, 2001). Portland, OR.

USDA-FS (USDA Forest Service). 1990. Umpqua National Forest Land and Resource Management Plan (FLRMP) (as amended). Roseburg, OR.

USDA-FS and PacifiCorp. 2005. Agreements and correspondence between the USDA-FS and PacifiCorp (dated November 7 and October 27, 2005) regarding NEPA compliance and approval processes. Portland, OR.

USDI-BLM (U.S. Department of the Interior, Bureau of Land Management). 1990. Roseburg District Resource Management Plan (RMP) (as amended). Roseburg, OR.

USDI-FWS (U.S. Department of the Interior, Fish and Wildlife Service). 2002. Biological Opinion – Section 7 Consultation on the FERC Relicensing of the North Umpqua Hydroelectric Project. December 13, 2002. Portland, OR.

Resource Coordination Plan

Exhibits A through J

**North Umpqua Hydroelectric Project
(FERC No. 1927)**

July 2006

Plan Exhibits

- A Settlement Agreement Regarding the Plan and RCC**
 - Original Settlement Agreement, Section 21 (June 2001) and Explanatory Statement (June 2001)
 - Settlement Agreement Amendment No. 1 (November 2002) and Explanatory Statement (January 2003)
 - Settlement Agreement Amendment No. 2 (July 2005)
- B FERC License Order (License Articles)**
- C Resource Coordination Committee Members Contact List**
- D Resource Coordination Committee Ground Rules**
- E Resource Coordination Summary Matrix**
- F Coordination Calendar**
- G Work Plan**
- H Project Notification Form**
- I NEPA MOU and Letters Exchanged**
- J Contractor Terms and Conditions**

EXHIBIT A

Settlement Agreement Regarding the Plan and RCC

- Original Settlement Agreement, Section 21 (June 2001) and Explanatory Statement (June 2001)
- Settlement Agreement Amendment No. 1 (November 2002) and Explanatory Statement (January 2003)
- Settlement Agreement Amendment No. 2 (July 2005)

SETTLEMENT AGREEMENT REGARDING THE Plan AND RCC

Original Settlement Agreement (June 13, 2001)

SECTION 21. COORDINATION AND DECISION MAKING

21.1 Resource Coordination Committee. The land use evaluation in the 1995 Application for New License identified the need for a Resource Coordination Plan (the "RCP") and included a draft RCP. The draft RCP describes and unifies the processes for implementation of New License conditions, ongoing operations, and maintenance activities consistent with the terms of this Agreement. PacifiCorp shall finalize the RCP within one year after the New License becomes final or 2005, whichever is earlier, and may be amended as needed to incorporate plans required under this Agreement. PacifiCorp shall convene the Resource Coordination Committee ("RCC"). Within 60 days of the Effective Date, signatories to this Agreement will designate representatives to the RCC. The RCC shall have the responsibility to facilitate and coordinate the implementation of PM&E Measures consistent with the RCP and this Agreement, subject to Governmental Party and FERC approvals as may be necessary. If there is any disagreement between the RCP and this Agreement, this Agreement will control. The RCC will not be responsible for administration of either the Tributary Enhancement Program or the Mitigation Fund set forth under Section 19 above, though the responsible Governmental Parties may consult with the RCC regarding proposed mitigation activities. The RCC shall:

- a. Facilitate coordination and consultation on plans developed by PacifiCorp for the implementation of PM&E Measures;
- b. Coordinate the implementation of PM&E Measures and ongoing monitoring requirements by PacifiCorp;
- c. Establish appropriate procedures for conducting its activities;
- d. Establish such subcommittees as it deems necessary for the purpose of achieving the objectives in a, b, and c above and determining, as appropriate, the size, membership, and procedures of such committees, including those of any of the committees identified specifically in this Agreement or in the PM&E Measures.

21.2 Decision-Making Process. The RCC shall endeavor to conduct its business by consensus. Decisions of the RCC shall not usurp the authority of the individual Parties or of agencies specifically identified in this Agreement as having approval authority regarding specific PM&E Measures. If the RCC cannot reach consensus on any issue, the RCC shall refer the issue to the appropriate policy makers designated by each Party. If the policy makers are unable to resolve the issue by consensus within 30 days after referral to that group, any remaining dispute shall be resolved as provided in Section 22.7.

21.3 Notice. Members of the RCC shall be given a minimum of 30 days' notice prior to any meeting.

21.4 Environmental Coordinator. PacifiCorp shall designate an Environmental Coordinator to oversee the coordination and implementation of PM&E Measures. The Environmental Coordinator will act as a representative of PacifiCorp to the RCC and will provide reasonable administrative and clerical support for the RCC.

21.4.1 Meetings. The Environmental Coordinator shall arrange an annual meeting of the RCC as well as any additional meetings deemed necessary by the Parties to coordinate activities and inform the Parties concerning the status or implementation of PM&E Measures.

21.4.2 Reports. The Environmental Coordinator shall prepare and file with FERC and the RCC a detailed annual report on the activities of the RCC and on the implementation of the PM&E Measures during the previous year. Filing of such reports shall commence upon the first anniversary of the Effective Date and annually each year thereafter during the term of the New License. The Environmental Coordinator will prepare annual reports in consultation with the members of the RCC and will provide such members with at least 30 days to comment on a draft report prior to filing a final version with FERC.

21.5 Site-Specific Plans and Construction Schedules. Commencing upon the Effective Date, PacifiCorp shall, in consultation with the USDA-FS, NMFS, USFWS, ODFW, and ODEQ, develop site-specific plans for construction activities under this Agreement that will result in ground or habitat disturbance, whether within or outside of water bodies. Such plans shall be prepared in accordance with the Implementation Schedule for such activities and shall include a construction schedule providing for in-river and riparian construction during noncritical periods for affected resources. PacifiCorp will submit completed plans to the USDA-FS (in addition to any agencies that may be required to approve such plans under other provisions of this Agreement) for review and approval prior to initiating any construction activities and before filing the construction schedule with FERC. For measures to be implemented more than two years after the applicable NEPA decision, the USDA-FS will review and approve NEPA documentation to assure its accuracy and currency prior to scheduled implementation. PacifiCorp will coordinate and seek any necessary approvals for any ground disturbances greater than one acre, or in-stream work that may affect the fishery or cause turbidity, with state agencies, including ODFW, Division of State Lands, OWRD, and ODEQ, as required by applicable state laws. PacifiCorp shall conduct Sensitive Species and Survey and Manage Species protocol surveys for rare, endemic species within 400 feet of any ground- or habitat-disturbing activity that may occur as a result of these measures. The list of species and survey protocols shall be derived from then current USDA-FS regulations, manuals, policies, and handbooks. PacifiCorp shall include measures to prevent erosion in all site-specific plans.

21.6 Inspection, Consultation, and Notice. PacifiCorp shall permit the Governmental Parties to inspect Project facilities and Project records pertaining to the construction, operation, and maintenance of the Project at any reasonable time.

PacifiCorp shall notify the agencies 90 days before the start of any Project construction or related ground- or habitat-disturbing activities and upon completion of construction. PacifiCorp shall consult with the Governmental Parties as necessary during construction or modification of Project facilities.

21.7 NEPA Process on National Forest System Lands. For any ground- or habitat-disturbing activities on National Forest System lands required for implementation of any PM&E Measure, PacifiCorp shall conduct or fund an environmental analysis, including, but not limited to, scoping, site-specific resource analyses, and cumulative-effects analyses, sufficient to meet the criteria set forth in USDA-FS regulations for NEPA in existence at the time the process is initiated. PacifiCorp may refer to or rely on any previous NEPA analysis for the activity to the extent such analysis is not out of date, as determined by USDA-FS. Any contractors selected by PacifiCorp to conduct the NEPA process shall be approved by the USDA-FS in advance of any work. Following scoping, PacifiCorp shall submit the scope of work for the environmental analysis, including, but not limited to, the range of alternatives that shall be addressed, to the USDA-FS for review and approval.

PacifiCorp shall make reasonable efforts to initiate and complete the NEPA process sufficiently in advance of Project implementation dates for PM&E Measures for which implementation dates are set forth in this Agreement and for those PM&E Measures scheduled by the RCC subsequent to the New License becoming final, to accommodate time lines for preparation and publication of a NEPA decision document by the USDA-FS and any administrative appeals of the NEPA decision, as required by USDA-FS appeal regulations in existence at the time the NEPA process is initiated.

EXPLANATORY STATEMENT
for the
SETTLEMENT AGREEMENT
AMONG
PACIFICORP
USDA FOREST SERVICE
NATIONAL MARINE FISHERIES SERVICE
USDI FISH AND WILDLIFE SERVICE
USDI BUREAU OF LAND MANAGEMENT
OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY
OREGON DEPARTMENT OF FISH AND WILDLIFE
OREGON WATER RESOURCES DEPARTMENT

June 21, 2001

CONCERNING THE RELICENSING OF THE
NORTH UMPQUA HYDROELECTRIC PROJECT
FERC PROJECT NO. 1927-008
DOUGLAS COUNTY
OREGON

TABLE OF CONTENTS

	Page
1. INTRODUCTION	1
2. BACKGROUND	2
2.1 The Project.....	2
2.2 Settlement Discussions	3
2.3 Ecosystem and Resources.....	4
3. MANAGEMENT GOALS AND OBJECTIVES	7
4. TIMING, COORDINATION, AND LICENSE TERM.....	9
4.1 Timing of Measures (Settlement Agreement Section 2.4, Appendix A)	9
4.2 Coordination and Decision Making (Settlement Agreement Section 21).....	9
4.3 License Term (Settlement Agreement Sections 1.5, 22.5).....	10
5. DESCRIPTION OF AND RATIONALE FOR PROTECTION, MITIGATION, AND ENHANCEMENT MEASURES.....	10
5.1 Fish Passage Measures (Settlement Agreement Section 4).....	10
5.2 In-Stream Flows (Settlement Agreement Section 5)	13
5.3 Ramping (Settlement Agreement Section 6).....	17
5.4 Restoration of Fluvial Geomorphic Processes (Settlement Agreement Section 7).....	21
5.5 Main-Stem North Umpqua Anadromous Fish Spawning Habitat Enhancement (Settlement Agreement Section 8)	23
5.6 Reservoir and Forebay Management and Mitigation (Settlement Agreement Section 9).....	25
5.7 Aquatic, Riparian, and Terrestrial Connectivity (Settlement Agreement Sections 10, 11).....	26
5.8 Enhancement of Wetland Species Diversity and Still-Water Amphibian Habitats (Settlement Agreement Section 11.5)	29
5.9 Vegetation Management (Settlement Agreement Section 12)	30
5.10 Avian Protection (Settlement Agreement Section 13)	31
5.11 Erosion and Sediment Control (Settlement Agreement Section 14).....	32
5.12 Transportation Management (Settlement Agreement Section 15).....	33
5.13 Aesthetics (Settlement Agreement Section 16).....	35
5.14 Recreation (Settlement Agreement Section 17).....	35
5.15 Cultural Resources (Settlement Agreement Section 18)	37
5.16 Mitigation Funds (Settlement Agreement Section 19).....	38
6. LITERATURE CITED	40
7. LIST OF ACRONYMS	43

- (7) *Terrestrial Habitat Connectivity and Wildlife Entrapment*
Maintain terrestrial habitat connectivity so that movement, dispersal, migration, and interbreeding among subpopulations of all terrestrial wildlife species can occur. Create a waterway system that has insignificant effects on populations of wildlife species in the Project vicinity and that minimizes wildlife entrapment-related injury and mortality of individuals.

4. TIMING, COORDINATION, AND LICENSE TERM

4.1 Timing of Measures (Settlement Agreement Section 2.4, Appendix A)

A significant benefit provided by the Settlement Agreement is increased certainty concerning the timing and implementation of resource protection and enhancement measures. The Parties have negotiated a comprehensive schedule for implementing the PM&E Measures contained in the Settlement Agreement. The Parties' intent in developing this schedule is to ensure that beneficial measures are implemented in a timely way, recognizing the potential delays often encountered in the relicensing process. Such a schedule likewise enables PacifiCorp to better plan and coordinate its future capital expenditures and to implement measures in a manner that will minimize disturbance to sensitive areas.

The Parties have agreed to implement a suite of environmental PM&E measures before the New License issued by FERC becomes final. Such measures include (1) reduction in flow fluctuations below Soda Springs Dam to reduce the likelihood of fish stranding events; (2) initiation of an enhancement fund to permit various enhancement projects discussed below to be implemented; and (3) implementation of in-stream flow increases and restoration of spawning habitats to benefit salmonids and other aquatic organisms. Such early implementation measures provide significant resource benefits that would not otherwise occur without settlement. These early implementation measures are an important factor in the Parties' determination that the Settlement Agreement is fair and reasonable and in the public interest.

4.2 Coordination and Decision Making (Settlement Agreement Section 21)

The Settlement Agreement designates a Resource Coordination Committee ("RCC") and a Resource Coordination Plan ("RCP"). The goal of the RCP is to facilitate efficient and economical Project operation, maintenance, and construction activities, while protecting natural and cultural resources in the Project vicinity, particularly those on public lands. The RCP establishes a process for information exchange and coordination of efforts in the implementation of New License conditions, ongoing operations, and maintenance activities across the Project. The Parties' will appoint members to the RCC within 60 days of the Effective Date of the Settlement Agreement.

The RCC and RCP will improve protection of ecological, cultural, aesthetic, and recreational resources by ensuring that there is a high level of communication and coordination among

resource agencies and PacifiCorp prior to implementation of management actions. Implementation of an RCC will likewise ensure that collaborative processes and relationships developed during the settlement process will be maintained and continued, thus fostering an atmosphere of cooperation that will speed implementation of the Settlement Agreement and ensure its efficacy.

4.3 License Term (Settlement Agreement Sections 1.5, 22.5)

After considerable discussion and negotiation, the Parties agreed to recommend that FERC adopt a 35-year license term in the New License. In doing so, the Parties likewise agreed to establish an interim “check-in” date, to permit the Governmental Parties to evaluate if modifications to the Project are warranted in light of new legal or management plan requirements. This “check-in” is in addition to license reopeners that may be available in accordance with Section 22.5.1 of the Settlement Agreement. The Parties believe that the recommended license term, coupled with the recommended “check-in” process, balances PacifiCorp’s need to recover its investment in the Project with the desire to ensure that Project operations conform with applicable laws and regulations.

5. DESCRIPTION OF AND RATIONALE FOR PROTECTION, MITIGATION, AND ENHANCEMENT MEASURES

5.1 Fish Passage Measures (Settlement Agreement Section 4)

Fish passage measures address the issue of restoring anadromous fish access to historically accessible spawning and rearing habitat. The goal for fish passage is to restore, maintain, and/or enhance native anadromous and resident fish populations, including summer and winter steelhead, spring Chinook salmon, coho salmon, sea-run cutthroat trout, Pacific lamprey, and rainbow trout.

All fish passage measures in the Settlement Agreement incorporate the following elements:

- Fish passage facilities will have undergone engineering and technical feasibility review.
- Fish passage measures will be coordinated with implementation of habitat mitigation and/or enhancement measures, including modification of reservoir operations as needed to meet the design limitations of passage facilities; adequate minimum in-stream flows; and ramping restrictions to protect fish in Project bypass and full-flow reaches.
- Biological goals that cannot be met with fish passage and/or habitat restoration and enhancement will be attained through the mitigation funds and activities described in Section 19 of the Settlement Agreement, which will support habitat enhancement and restoration projects that provide a net benefit to fish populations on-site and/or in proximity to the Project.



November 1, 2002

VIA OVERNIGHT MAIL

Ms. Magalie R. Salas
Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426

**Re: North Umpqua Hydroelectric Project (P-1927-008); Amendment to the
North Umpqua Hydroelectric Project Settlement Agreement**

Dear Ms. Salas:

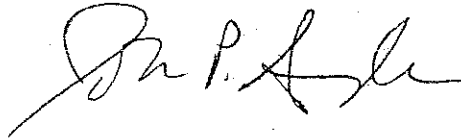
On behalf of the North Umpqua Hydroelectric Project Settlement Agreement ("the Settlement Agreement" or "the Agreement") parties, PacifiCorp transmits the following Amendment No. 1 for inclusion in the Commission's relicensing process. The parties request that the Commission include this amendment in the Commission's forthcoming National Environmental Policy Act analysis concerning project relicensing.

Since execution of the June 13, 2001, Settlement Agreement, the parties have commenced implementing various sections of this Agreement. During this process of implementation, the parties identified new information that warrants revisions to the June 13, 2001, Agreement. The enclosed Amendment No. 1 revises and modifies sections 5.1, 7.1, 7.2, and 8.3 of the Agreement. The Parties have revised these Agreement sections consistent with the parties' original goals and objectives as expressed in the June 13, 2001, Settlement Agreement and related documents.

Within the next 30 days, the parties intend to file with the Commission an explanatory statement supporting this amendment. As described in the amendment itself, to the extent necessary, each party will amend or supplement its existing terms, conditions, and recommendations regarding project relicensing consistent with this amendment.

We appreciate the Commission's patience in this matter. Please feel free to contact me at (503) 813-6688 if you have any questions concerning this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "John P. Sample", written in a cursive style.

John Sample
Senior Counsel, Hydropower
PacifiCorp

Enclosure

Cc: North Umpqua Settlement Agreement Parties
Service List
John Smith, FERC

**AMENDMENT NO. 1 TO THE
SETTLEMENT AGREEMENT
CONCERNING THE RELICENSING OF THE
NORTH UMPQUA HYDROELECTRIC PROJECT
FERC PROJECT NO. 1927-008
DOUGLAS COUNTY, OREGON**

This AMENDMENT NO. 1 TO THE JUNE 13, 2001, NORTH UMPQUA HYDROELECTRIC PROJECT SETTLEMENT AGREEMENT ("the Agreement") is made as of November 1, 2002, ("the Amendment Date") by and among PacifiCorp, an Oregon corporation; USDA Forest Service ("USDA-FS"); USDI Fish and Wildlife Service ("USFWS"); USDI Bureau of Land Management ("BLM"); National Marine Fisheries Service ("NMFS"); Oregon Department of Environmental Quality ("ODEQ"); Oregon Department of Fish and Wildlife ("ODFW"); and Oregon Water Resources Department ("OWRD"), each referred to individually as a "Party" and collectively as the "Parties." Parties other than PacifiCorp may be referred to collectively as the "Governmental Parties."

RECITALS

A. The Parties entered into a Settlement Agreement dated June 13, 2001. Section 8.3 of the Settlement Agreement provides that PacifiCorp shall prepare and implement a feasibility assessment, implementation plan, and monitoring plan concerning the restoration of spawning habitat in the Soda Springs bypass reach, subject to the agreed upon minimum flow regime and the natural constraints of the river channel (the "Soda Springs Bypass Reach Alluvial Restoration Project"). Approximately 5,000 to 15,000 square feet of spawning habitat was intended to be restored or created in this area. Analysis by PacifiCorp reviewed by the Governmental Parties now suggests that only about 1,200 to 1,500 square feet of spawning habitat can be restored or created in the Soda Springs bypass reach.

B. In view of the natural limitations of the Soda Springs bypass reach, the Parties are willing to expand the area considered for habitat projects. The work required under the amended section 8.3 would restore or create spawning habitat in the Soda Springs bypass reach and in additional locations below Soda Springs Dam.

C. Certain provisions of sections 5.1, 7.1, and 7.2 of the Agreement are related to implementation of the amended section 8.3. The Parties have revised these Agreement provisions consistent with the Parties' original goals and objectives as expressed in the June 13, 2001, Settlement Agreement.

NOW, THEREFORE, the Parties agree as follows:

1. Section 5.1 of the Agreement is amended by striking the last sentence and replacing with the following: "Commencing on September 1, 2003, PacifiCorp shall increase the minimum instream flow in the Soda Springs bypass reach to 95 cfs. Commencing on September

1, 2005, PacifiCorp shall increase the minimum instream flow in the Soda Springs bypass reach to 275 cfs for the term of the New License."

2. Section 7.1 of the Agreement is amended, in the first sentence, by striking "until completion of the Soda Springs Bypass Reach Alluvial Restoration Project required under section 8.3 of this Agreement" and replacing with "until December 31, 2004" and is amended, in the second sentence, by striking "until the commencement of the Soda Springs Bypass Reach Alluvial Restoration Project" and replacing with "until December 31, 2004".

3. Section 7.2 of the Agreement is struck in its entirety and replaced as follows:

7.2 Gravel Augmentation Program. Upon the Amendment Date, PacifiCorp shall commence preparing an implementation plan and monitoring plan to provide gravel augmentation below Soda Springs Dam to address the geomorphic effects of reduced sediment load below Soda Springs Dam. PacifiCorp shall prepare these plans in consultation with the USDA-FS, ODFW, NMFS, and USFWS (collectively, for purposes of this section 7.2, "the Agencies"), and shall obtain Agency approvals before finalizing such plans. This gravel augmentation program will be implemented with oversight from the Resource Coordination Committee (RCC) created under section 21.1 of the Agreement. Disputes concerning section 7.2 shall be resolved in accordance with section 21.2 of the Agreement. As discussed in sections 7.2.3 and 7.2.4 below, the Parties agree that in the event the cost of this program exceeds \$227,500, additional funding may be made available to implement this program through the use of the USDA-FS Mitigation Fund.

7.2.1 Implementation Plan. Within 90 days from the Amendment Date, PacifiCorp shall complete a draft Implementation Plan to provide gravel augmentation below Soda Springs Dam. The plan may take into consideration locations of existing facilities and sources and quantities of gravel. The Agencies shall complete a technical review of the draft Implementation Plan and provide any comments to PacifiCorp within 30 days of its receipt. PacifiCorp shall finalize the draft plan within 30 days from receipt of all Agency comments and provide copies of the final plan to each Agency and FERC. The final Implementation Plan shall provide for a one time pulse of about 4,000 tons of gravel by PacifiCorp below Soda Springs Dam in the Fall of 2003, unless otherwise agreed by the RCC. Thereafter, gravel augmentation will occur in accordance with the terms and schedule of the final Implementation Plan. An estimated 20 tons of gravel is anticipated to augment each of up to five sites about seven times during the term of the New License, unless otherwise agreed by RCC.

7.2.2 Monitoring Plan. Within 60 days from the completion of the final Implementation Plan required under section 7.2.1 above, PacifiCorp shall complete a draft Monitoring Plan for this gravel augmentation program. The Agencies shall complete a technical review of the Monitoring Plan and provide any comments to PacifiCorp within 30 days of its receipt. PacifiCorp shall revise and finalize the draft Monitoring Plan within 30 days from receipt of all Agency comments, and provide copies of the final plan to each Agency and FERC.

7.2.3 PacifiCorp Funding and Accounting. PacifiCorp shall fund actions taken pursuant to section 7.2 in an amount not to exceed \$175,000 in 2002 dollars (subject to section 22.4.4 of the Agreement). Such actions include, but are not limited to, the planning, design, permitting, construction, and monitoring of gravel augmentation measures required under section 7.2. In the event the cost of this program is less than \$175,000, PacifiCorp shall retain remaining funds at the expiration of the New License and all subsequent annual licenses. In the event the cost of this program exceeds \$175,000, PacifiCorp shall fund actions taken pursuant to section 7.2 in an amount not to exceed \$227,500 in 2002 dollars (subject to section 22.4.4 of the Agreement). PacifiCorp shall file with FERC and each Agency a written annual report describing amounts disbursed for projects conducted pursuant to section 7.2, and funded pursuant to section 7.2.3. Upon request, PacifiCorp shall provide additional supporting documentation to the requesting Agency regarding its disbursements.

7.2.4 USDA-FS Funding. In the event the cost of actions required under section 7.2 exceeds PacifiCorp's funding limit of \$227,500, additional funding may be made available through the use of the USDA-FS Mitigation Fund created under section 19.3 of the Agreement. Such additional funding may be made available upon an agreement by the RCC that such funding is necessary to achieve that Governmental Parties' ecological goals and objectives with respect to gravel augmentation below Soda Springs Dam.

4. Section 8.3 of the Agreement is struck in its entirety and replaced as follows:

8.3 North Umpqua River Habitat Restoration/Creation Project. Upon the Amendment Date, PacifiCorp shall commence preparing a feasibility assessment, implementation plan, and monitoring plan, as required below, for the restoration or creation of salmonid spawning habitat in the Soda Springs bypass reach and mainstem North Umpqua River and its tributaries, below Soda Springs Dam. PacifiCorp shall prepare these plans in consultation with the USDA-FS, ODFW, NMFS, and USFWS (collectively, for purposes of this section 8.3, "the Agencies"), and shall obtain Agency approvals before finalizing such plans. Such Agency approvals may include, if appropriate, a section 7 determination under the Wild and Scenic Rivers Act by the USDA-FS and BLM.

8.3.1 Feasibility Assessment. Within 90 days from the Amendment Date, PacifiCorp shall submit to the Agencies for technical review a draft assessment analyzing the feasibility, costs, and benefits of restoring or creating spawning habitat at various locations in the North Umpqua River and its tributaries, below Soda Springs Dam. The Agencies shall complete a technical review of the draft feasibility assessment and provide any comments to PacifiCorp within 30 days from its receipt. PacifiCorp shall finalize the draft feasibility assessment within 30 days from receipt of all Agency comments, and provide copies of the final feasibility assessment to each Agency and the Federal Energy Regulatory Commission ("FERC").

8.3.2 Implementation Plan. Within 90 days from the completion of the final feasibility assessment required under section 8.3.1 above, PacifiCorp, shall complete a draft implementation plan for habitat restoration or creation. Habitat will be designed to

function within the applicable flow regimes identified in Appendix C, Tables 1 and 2 of the Agreement, including the seasonal high flows expected for applicable reaches, and will take into consideration locations of existing facilities and sources and quantities of gravel necessary to maximize and sustain spawning habitat, subject to the funding limitations described below under section 8.3.5. The Agencies shall complete a technical review of the draft implementation plan and provide any comments to PacifiCorp within 30 days of its receipt. PacifiCorp shall finalize the draft plan within 30 days from receipt of all Agency comments and provide copies of the final plan to each Agency and FERC. Upon completion of the baseline habitat survey required by section 8.3.4 below, PacifiCorp shall perform the habitat restoration or creation measures in accordance with the terms and schedule of the final Implementation Plan.

8.3.3 Monitoring Plan. Within 120 days from the completion of the final Implementation Plan required under section 8.3.2 above, PacifiCorp shall complete a draft monitoring plan for this habitat restoration/creation project, including measures necessary to estimate the quality and quantity of spawning habitat created or restored. The Agencies shall complete a technical review of the monitoring plan and provide any comments to PacifiCorp within 30 days of its receipt. PacifiCorp shall revise and finalize the draft monitoring plan within 30 days from receipt of all Agency comments, and provide copies of the final plan to each Agency and FERC. As portions of the habitat restoration or creation measures are completed, PacifiCorp shall implement the monitoring plan for those portions to assess whether the estimated quantity and quality of spawning habitat is being restored or created as a result of this habitat restoration/creation project. Evaluation of the quality and quantity of spawning habitat shall include habitat characteristics such as patch area, patch depth, spawning gravel substrate size, amount of fine sediment, and appropriate hydraulic conditions such as intergravel flow to provide adequate dissolved oxygen to salmonid eggs. This evaluation will be conducted by a technical committee of the Resource Coordination Committee.

8.3.4 Baseline Habitat Survey. PacifiCorp shall, in consultation with the Agencies, conduct a baseline habitat survey of current spawning habitat at the selected habitat restoration or creation sites, under existing flow and channel conditions. The baseline survey shall commence within 60 days from the completion of the finalization of the Implementation Plan required under section 8.3.2 above, or as agreed in writing by PacifiCorp and the Agencies. The baseline survey shall be completed prior to initiation of in-water construction of habitat restoration or creation measures. The final results from the baseline habitat survey shall be submitted to each Agency and FERC.

8.3.5 Funding and Accounting. PacifiCorp shall fund actions taken pursuant to section 8.3 in an amount not to exceed \$410,000 in 2002 dollars (subject to section 22.4.4 of the Agreement). Such actions include, but are not limited to, the planning, design, permitting, construction, monitoring, and ongoing maintenance (including gravel augmentation) of habitat restored or created pursuant to section 8.3. PacifiCorp shall file with FERC and each Agency a written annual report describing amounts disbursed for projects conducted pursuant to section 8.3. Upon request, PacifiCorp shall provide

additional supporting documentation to the requesting Agency regarding such disbursements.

8.3.6 Completion. PacifiCorp shall complete habitat restoration or creation measures conducted pursuant to this amended section 8.3, except for ongoing monitoring and gravel augmentation, by December 31, 2004.

5. Appendix A of the Agreement, row commencing "7.1 Ongoing Gravel Augmentation below Soda" is amended by striking "2003" in the fourth column of this row entitled "End Date" and replacing with "2004". Appendix A of the Agreement, row commencing "7.2 Gravel Augmentation for Soda Alluvial Restoration Project" is amended by striking "for Soda Alluvial Restoration Project" in the second column entitled "Measure", and by striking "2004" in the third column of this row entitled "Start Date" and replacing with "2003". Appendix A of the Agreement, row commencing "8.3 Soda Habitat Enhancement Project" is amended by striking "Soda Habitat Enhancement" in the second column entitled "Measure" and replacing with "North Umpqua River Habitat Restoration/Creation Project," and by striking "2003" in the fourth column of this row entitled "End Date" and replacing with "2004". Appendix A of the Agreement, row commencing "8.3.4 Soda Baseline Habitat Survey" is amended by striking "Soda" in the second column entitled "Measure" and replacing with "North Umpqua River," and by striking "2002" in the fourth column entitled "End Date" and replacing with "2003".

6. Except as expressly amended by the previous sections, the Agreement remains in full force and effect as executed on June 13, 2001.

7. Within 30 days from the Amendment Date, the Parties shall file with FERC a joint statement outlining the purpose and need for this Amendment, and the benefits of measures to be conducted pursuant to this Amendment. Further, as appropriate, the Parties shall revise their respective comments, terms, conditions, and prescriptions consistent with the requirements of this Amendment, and file such revisions with the Commission.

8. Each signatory to this Amendment certifies that he or she is authorized to execute this Amendment and to legally bind the Party he or she represents, and that such Party shall be fully bound by the terms hereof upon such signature without any further act, approval, or authorization by such Party.

9. This Amendment may be executed in any number of counterparts, and each executed counterpart shall have the same force and effect as an original instrument as if all the signatory Parties to all of the counterparts had signed the same instrument. Any signature page of this Amendment may be detached from any counterpart of this Amendment without impairing the legal effect of any signatures, and may be attached to another counterpart of this Amendment identical in form having attached to it one or more signature pages.

PacificCorp

By: William E. Smith

United States Department of Agriculture Forest Service

By: James Alcala

USDI Fish and Wildlife Service

By: James R. D. D. D. D.


National Marine Fisheries Service

By: J. Robert Cole

USDI Bureau of Land Management

By: Caryl L. Osterhaus

Oregon Department of Fish and Wildlife

By: 

Oregon Water Resources Department

By: Rafael A. Siles

Oregon Department of Environmental Quality

By: [Signature]

CERTIFICATE OF SERVICE

I certify that I have served, by U.S. Mail the foregoing document(s) upon each person designated on the official service list compiled by the Secretary of this proceeding.

In addition to the service list I also served the following:

John Smith, FERC, 888 First Street NE, Washington, DC 20426
Lois Schwennesen, PO Box 2638, Vashon Island, WA 98070
Roma Call, 4307 Second Ave NE #1, Seattle, WA 98105
Craig Tuss, US FWS, 2900 NW Stewart Parkway, Roseburg, OR 97470

North Umpqua Settlement Agreement Parties:

Kemper McMaster, US Fish and Wildlife Service, 2600 SE 98th Ave., Suite 100,
Portland, OR 97266.

Keith Kirkendall, NMFS, 525 NE Oregon St., Suite 500, Portland, OR 97232.

Michael Llewelyn, ODEQ, 811 SW Sixth Avenue, Portland, OR 97204.

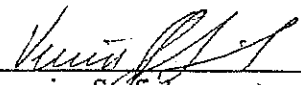
Dave McAllister, ODFW, Habitat Division, 2501 SW First Ave., PO Box 59,
Portland, OR 97207.

Dick Bailey, OWRD, 158 12th Street NE, Salem, OR 97301.

Walt Dortch, USDA Forest Service, 1405 Emmens Street, Darrington, WA
98241.

Cary Osterhaus, USDI BLM, 777 NW Garden Valley Blvd., Roseburg, OR
97470.

Dated at Portland, Oregon this 1st day of November, 2002.



Veronica Stoffel
Licensing Project Coordinator
PacifiCorp

825 N.E. Multnomah, Suite 1500
Portland, Oregon 97232
(503) 813-5000



January 31, 2003

Ms. Magalie R. Salas
Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426

**Re: North Umpqua Hydroelectric Project (P-1927-008); Explanatory
Statement Supporting Amendment to the North Umpqua
Hydroelectric Project Settlement Agreement**

Dear Ms. Salas:

On November 1, 2002, PacifiCorp, on behalf of the North Umpqua Hydroelectric Project Settlement Agreement ("the Settlement Agreement") parties (collectively, "the Parties"), transmitted to the Commission Amendment No. 1 to the Settlement Agreement. In doing so, the Parties indicated an intent to file with the Commission an explanatory statement supporting this amendment.

Enclosed for your review and inclusion in the record is a final explanatory statement supporting Amendment No. 1. Please feel free to contact me at (503) 813-6688 if you have any questions concerning this matter.

Sincerely,

John Sample
Senior Hydropower Attorney
PacifiCorp

Enclosure

Cc: North Umpqua Settlement Agreement Parties
Service List
John Smith, FERC

EXPLANATORY STATEMENT
for
AMENDMENT NO. 1 TO THE
JUNE 13, 2001, SETTLEMENT AGREEMENT
AMONG
PACIFICORP
USDA FOREST SERVICE
NATIONAL MARINE FISHERIES SERVICE
USDI FISH AND WILDLIFE SERVICE
USDI BUREAU OF LAND MANAGEMENT
OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY
OREGON DEPARTMENT OF FISH AND WILDLIFE
OREGON WATER RESOURCES DEPARTMENT

CONCERNING THE RELICENSING OF THE
NORTH UMPQUA HYDROELECTRIC PROJECT
FERC PROJECT NO. 1927-008
DOUGLAS COUNTY
OREGON

**EXPLANATORY STATEMENT FOR
AMENDMENT NO. 1 TO THE
NORTH UMPQUA HYDROELECTRIC PROJECT SETTLEMENT AGREEMENT**
FERC Project No. 1927-008

1. INTRODUCTION

Pursuant to the Federal Energy Regulatory Commission's ("FERC") regulations, PacifiCorp ("PacifiCorp" or "Licensee") is submitting this Explanatory Statement on behalf of the settlement parties which describes the rationale behind agreed-upon terms in Amendment No. 1 to the North Umpqua Settlement Agreement.¹

In 1995, PacifiCorp filed with FERC an application for a new license (the "New License") for the North Umpqua Hydroelectric Project, also known as FERC Project No. 1927-008 (the "Project"). After lengthy discussions between PacifiCorp, state and federal agencies, and various nongovernmental organizations, PacifiCorp submitted an Offer of Settlement describing the terms under which PacifiCorp and the agencies will support FERC's issuance of the New License. The Offer of Settlement includes a Settlement Agreement dated June 13, 2001 (the "Settlement Agreement" or "the Agreement"), among PacifiCorp, an Oregon corporation; USDA Forest Service ("USDA-FS"); USDI Fish and Wildlife Service ("USFWS"); USDI Bureau of Land Management ("BLM"); National Marine Fisheries Service ("NMFS"); Oregon Department of Environmental Quality ("ODEQ"); Oregon Department of Fish and Wildlife ("ODFW"); and Oregon Water Resources Department ("OWRD"), referred to collectively as the "Settlement Parties" or "the Parties."

On November 1, 2002, PacifiCorp, on behalf of itself and the other Settlement Parties, filed Amendment No. 1 to the Settlement Agreement, amending and modifying sections 5.1, 7.1, 7.2, and 8.3 of the Settlement Agreement ("the Amendment"). The purpose of this Explanatory Statement is to summarize the basis for the Amendment. Nothing in this Explanatory Statement is intended to modify the terms of Amendment No. 1 or the Settlement Agreement. The USDA-FS, BLM, NMFS, USFWS, ODEQ, ODFW, and OWRD, collectively, "the Governmental Parties," intend to submit final terms, conditions, and prescriptions consistent with this Amendment. In the event this Amendment is rejected or materially altered by FERC or through subsequent litigation, the Parties will employ dispute resolution procedures contained in the Settlement Agreement to resolve inconsistencies.

The Settlement Parties resubmit that the Settlement Agreement and this Amendment are fair and reasonable and in the public interest within the meaning of FERC Rule 602, 18 C.F.R. § 385.602(g)(3), for the following reasons:

¹ On December 9, 2002, a group of non-governmental organizations ("the NGOs") submitted a letter to FERC objecting to the Amendment. A number of the comments contained in the NGO letter reflect an incomplete understanding of measures contemplated by the Amendment. The Parties address many of these objections in this Explanatory Statement.

- (1) The Settlement Agreement and Amendment contain specific measures that will substantially improve environmental conditions in the Umpqua River Watershed;
- (2) The Settlement Agreement and Amendment provide that certain important resource protection measures will be implemented immediately, providing immediate benefit to fish and other natural resources;
- (3) The Settlement Agreement and Amendment provide for various interests and waterway uses, including power production and natural resource values; and
- (4) The Settlement Agreement and Amendment establish a process for the Parties to collaborate to manage and enhance natural resources in the Umpqua River Watershed throughout the term of the New License.

For these reasons, the Parties request that FERC accept and incorporate, without material modification, as license articles in the New License all relevant provisions of the Settlement Agreement, the Amendment, and the provisions of Governmental Parties' Final Terms and Conditions filed with FERC in connection with the Settlement Agreement and this Amendment.

2. BACKGROUND AND NEED FOR AMENDMENT

Section 8.3 of the Settlement Agreement, entitled the "Soda Springs Bypass Reach Alluvial Restoration Project," provides for the restoration of spawning habitat in the Soda Springs bypass reach. Section 8.1 of the Agreement states that in carrying out actions under section 8.3, PacifiCorp shall maximize spawning habitat in areas described within section 8.3, with a priority on chinook salmon spawning, given the natural constraints of the river channels.

Upon submittal of the Settlement Agreement, the Settlement Parties began implementing section 8.3 of the Agreement in accordance with its terms and schedules. Section 8.3.1 of the Settlement Agreement requires PacifiCorp to prepare a study plan analyzing the feasibility, costs, and benefits of this restoration measure. Section 8.3.4 of the Settlement Agreement requires PacifiCorp to prepare a baseline habitat survey of areas within the Soda Springs bypass reach to evaluate the benefit of habitat restoration efforts in this reach. In accordance with the terms of the Settlement Agreement, in late 2001 PacifiCorp began collecting field data to prepare a baseline habitat survey. Baseline spawning habitat conditions, as well as channel topography and hydraulic conditions, were assessed within the Soda Springs bypass reach (Stillwater Sciences 2002a; Stillwater Sciences 2002b). The results and conclusions derived from these assessments are summarized below. Based upon these results, the Settlement Parties conclude that the Parties' original goals and objectives with respect to section 8.3 of the Settlement Agreement can not be satisfactorily met due to natural river constraints in the Soda Springs bypass reach.

2.1 Reach Description

The Soda Springs enhancement reach is located within the mainstem Soda Springs bypass reach and extends from the Soda Springs powerhouse upstream approximately 210 m (700 ft). The

reach was selected as a potential enhancement area due to the relatively unconfined channel morphology of the reach, which is uncommon in the mainstem North Umpqua River (Stillwater Sciences 1998). The channel width in this reach averages approximately 110 m (350 ft), compared with channel widths of approximately 40 m (130 ft) upstream and downstream of the enhancement reach. On signing the Settlement Agreement, the Parties believed that the relatively unconfined channel morphology in this reach would allow the channel to be manipulated to increase storage of spawning gravels in this reach.

The enhancement reach does not currently provide any significant spawning habitat. The channel bed is dominated by large boulders and bedrock outcrops, and gravel deposits suitable for spawning are absent. Several reasons exist for the lack of spawning habitat in this reach. The most important constraint is the steep channel slope, which averages five percent through the study reach. Channels this steep do not typically retain gravel because of the high shear stresses generated during even moderate discharge events. A second constraint is the frequency of high discharges from natural storm events that are released through the dam spillway, which for example exceed 5,000 cfs every other year on average. Frequent high discharges, in combination with the steep channel slope, make it especially difficult to create stable gravel deposits, and to satisfy flow and velocity requirements suitable for spawning. Due to the steep channel slope and frequent high discharges, the study reach likely did not provide spawning habitat under historical (pre-project) conditions. The enhancement reach is bounded on both banks by deep-seated landslides that supply the boulders that dominate the channel bed. The steep channel slope predates the dam construction, and is partly responsible for the location of the dam and bypass reach.

2.2 Methods of Reach Evaluation

In August 2001, Stillwater Sciences conducted a detailed topographic survey of the study reach using a laser total station, tied to permanent survey benchmarks on the dam, penstock, and powerhouse (Stillwater Sciences 2002a). A network of semi-permanent benchmarks was established throughout the study reach for use in any subsequent channel modification construction work. Stillwater Sciences mapped the significant geomorphic features, such as the principal base flow pathways, bank full channel boundaries, boulders large enough to create localized eddies of diminished velocity or gradient, and large woody debris, and characterized the channel substrate materials. These field observations were used in combination with salmonid spawning habitat criteria to examine the potential for habitat enhancement. Spawning salmonids require extensive deposits of well-sorted gravel in which to build their redds. In addition, the flow velocity must be sufficient (> 1 ft/s) to maintain flow through the surface gravel but not so great (< 3 ft/s) as to prevent redd construction. The water depth must be greater than 0.8 ft to provide sufficient hydraulic head, and the gravel deposit must be greater than 2 ft deep to allow for redd construction. Furthermore, the gravel must remain immobile throughout the incubation period, otherwise redds will be destroyed before the eggs can hatch.

Baseline spawning habitat conditions were assessed on September 4 and 5, 2001, in the Soda Springs enhancement reach (Stillwater Sciences 2002a). Flows in the Soda Springs bypass reach were approximately 40 cfs ($1.1 \text{ m}^3/\text{s}$) during the survey. Potentially suitable spawning patches were identified in the field by Science Team members and their suitability was assessed based on

area, depth, velocity, particle size, hydraulics, and other physical characteristics of the patches. On the first day of each survey, members of the Science Team conducted a walking survey of the reach and identified all spawning gravel patches considered to be potentially suitable for chinook salmon and/or steelhead. For each patch, the team determined the extent of the patch (including division of patches into subpatches where different substrate facies were evident) and whether each patch was most likely suitable for chinook salmon and/or steelhead. A qualitative ranking of overall suitability from 1 (poor) to 10 (good) was assigned to each subpatch based on an overall impression of physical patch characteristics (e.g., depth, velocity, particle size, hydraulics). Only patches considered potentially suitable for spawning under flows proposed in the Settlement Agreement (i.e., 275 cfs [7.79 m³/s] in the Soda Springs bypass reach) were included.

Additional information regarding baseline quality and quantity of spawning habitat in the enhancement reaches was measured by Stillwater Sciences subsequent to each initial survey. For each patch identified by the survey team, a sketch of each patch was made to scale and used to calculate patch area. Photographs and video documentation were used to supplement data collection. The following physical parameters were measured for each patch and/or subpatch to evaluate the quality of the patches:

- D₅₀,
- Sorting (very well sorted, well sorted, moderately sorted, poorly sorted, very poorly sorted)
- Angularity (very angular, angular, sub-angular, sub-rounded, rounded, well rounded)
- Estimate of patch substrate depth
- Water depth
- Distance from wetted channel under current conditions
- Causal mechanism of patch formation.

Substrate permeability was measured within each patch and/or subpatch (when possible) at a depth of 23 cm (0.75 ft) using a modified Mark VI standpipe (Terhune 1958, Barnard and McBain 1994) to quantify intergravel flow conditions. Egg-to-emergence survival based on gravel permeability was predicted for each location where permeability was measured, based on a relationship developed from studies by Tagart (1976) using coho salmon, and McCuddin (1977) using chinook salmon.

2.3 Soda Springs Bypass Reach Evaluation Results

Results from hydraulic calculations suggest that channel slope should not be steeper than 0.007 and discharge per unit width should be at least 0.8 ft²/s to have potential spawning habitat in the lower bypass reach within normal flow conditions (i.e., areas without flow obstructions). The current channel has a slope of more than 0.05, except in a very short reach (120 ft) at the upstream end (the “upper base-flow reach”), and thus does not provide potential spawning habitat under current conditions, even with adequate gravel supply. These calculations indicated that the limiting factors for potential spawning habitat are water depth and flow velocity for low-flow conditions, and flow velocity for high-flow conditions. Small patches in the lee of boulders where normal flow conditions do not occur could support conditions favorable for spawning. These areas were addressed during the baseline habitat survey (Stillwater Sciences 2002a).

Baseline habitat evaluations indicate a total of seven potential spawning gravel patches (composed of 12 subpatches) in the Soda Springs bypass reach. In general, patches in this reach were small, occurred as thin layers, and had poor to fair suitability. Subpatch area ranged from 0.5 to 20.1 m² (5.4 to 216 ft²) and averaged 4.2 m² (45 ft²). Three subpatches (in two patches) were identified as being potentially suitable for chinook salmon, and 11 subpatches (in seven patches) were identified as being potentially suitable for steelhead. No patches in this reach were identified as having “good” suitability for either chinook salmon or steelhead. All patches and subpatches were associated with boulders that led to patch formation.

Substrate permeability was measured at three locations within the reach. Since only one of the seven patches was completely submerged at the time of the survey, few permeability samples could be collected in this reach. Two of the permeability samples were collected adjacent to Patch 3 where suitable sample sites were available in patches that were too small to be classified as being suitable for spawning. Results of the permeability sampling effort indicate that permeability varied substantially among locations. Predicted egg-to-emergence survival for the three locations sampled was 35%, 55%, and 59%.

2.4 Conclusions Regarding the Soda Springs Bypass Reach Evaluation

As discussed in section 8.1 of the Settlement Agreement, PacifiCorp is required under section 8.3 to maximize spawning habitat for anadromous fish in the Soda Springs bypass reach, with a priority on chinook salmon spawning, subject to natural constraints of the river channel. As discussed in section 8.3 of the Settlement Agreement, the Settlement Parties intended that approximately 5,000 to 15,000 square feet of spawning habitat would be created or restored in the Soda Springs bypass reach, subject to the provisions of section 8.1.

Based upon fieldwork and analysis conducted after the signing of the Settlement Agreement, the Settlement Parties conclude that the Parties’ original goals and objectives with respect to section 8.3 of the Settlement Agreement would not be satisfactorily met due to natural river constraints in the Soda Springs bypass reach. The Parties found this site was not an alluvial site and through detailed physical surveys and hydrological modeling, found the channel gradient to be too steep to hold significant amounts of spawning gravel. Available data indicate that due to the steep gradient and existing channel configuration in the Soda Springs bypass reach, coupled with anticipated stream velocities in this area, only about 1,500 square feet of spawning habitat could be created or restored in this reach. In view of these circumstances, the Settlement Parties agreed to devise an alternative strategy for addressing the Parties’ habitat goals as they relate to section 8.3 of the Settlement Agreement.

2.5 Related Agreement Sections

After concluding that revisions to section 8.3 of the Settlement Agreement were warranted, the Settlement Parties commenced a detailed review of the Settlement Agreement to ascertain what, if any, related sections required amendment in view of contemplated changes to section 8.3. The Settlement Parties determined that sections 5.1, 7.1, and 7.2 required amendment as a result of amendments to section 8.3.

Section 5.1 of the Settlement Agreement states that “PacifiCorp shall implement Table 1 flows for the Soda Springs bypass reach in 2003, upon completion of the Soda Springs bypass alluvial restoration project in accordance with Section 8.3 of this Agreement.” The Parties agree that the requirement for increasing bypass reach flows upon completion of measures conducted pursuant to section 8.3 necessitates amending section 5.1 to clarify when, and in what amount, instream flows could be increased in view of changes to measures contained in section 8.3.

Section 7.1 of the Settlement Agreement states that “PacifiCorp shall continue the ongoing gravel augmentation below Soda Springs dam until completion of the Soda Springs Bypass Reach Alluvial Restoration Project required under Section 8.3 of this Agreement.” The Settlement Parties agree that the requirement for continued ongoing gravel augmentation below Soda Springs dam until completion of measures conducted pursuant to section 8.3 necessitates amending section 7.1 to clarify the nature and timing of gravel augmentation required in view of changes to measures contained in section 8.3.

Section 7.2 of the Settlement Agreement states that beginning in 2004, “PacifiCorp shall provide gravel augmentation in coordination with the Soda Springs bypass reach alluvial restoration project after consulting with the USDA-FS, ODEQ, NMFS, USFWS, and ODFW, regarding the quantity, quality, and timing of gravel augmentation.” The Settlement Parties agree that the requirement that gravel augmentation be provided in coordination with measures conducted pursuant to section 8.3 necessitates amending section 7.2 to clarify the nature and timing of gravel augmentation required in view of changes to measures contained in section 8.3.

3. DISCUSSION OF AND RATIONALE FOR AGREEMENT AMENDMENTS

As an alternative to the Soda Springs bypass reach enhancements contemplated in the Settlement Agreement, the Settlement Parties have agreed to (1) devise an alternative habitat restoration/creation program and schedule of bypass reach flow augmentation that will maximize usable spawning habitat for anadromous fish, with a priority on chinook salmon spawning, given the natural constraints of the river channels; and (2) devise a gravel augmentation program in view of amendments to section 8.3 of the Settlement Agreement to enhance habitat downstream from Soda Springs dam.

3.1 North Umpqua River Habitat Restoration/Creation Project (Amendment Section 4; Settlement Agreement Section 8.3)

Numerous studies conducted during the watershed analysis and subsequent investigations provide the technical basis for determining the effects of the Project and the expected effectiveness of the spawning habitat enhancement measures contained in the Settlement Agreement (PacifiCorp 2001b). Investigations conducted to assess spawning gravel availability and redd superimposition indicate that spawning gravel availability in the main-stem North Umpqua River limits spring chinook salmon production in the basin.

A summary of issues related to anadromous salmonid habitat in the main-stem North Umpqua River is provided in Section 7 of the Synthesis Report (“Anadromous fish passage and off-site mitigation”). Additional reports concerning anadromous fish spawning habitat include:

- Appendix 7-1 of the Synthesis Report (“Bed substrate mobility in the North Umpqua River, Copeland gauging station”),
- Appendix 7-2 of the Synthesis Report (“Spawning gravel availability and redd superimposition among spring chinook salmon in the North Umpqua River”),
- “Assessment of historical habitat conditions in the reach of the North Umpqua River currently inundated by Soda Springs Reservoir” (Stillwater Sciences 1998),
- “Preliminary assessment of issues related to sediment augmentation at Soda Springs Dam” (Stillwater Sciences 1999),
- “Geomorphic effects of Soda Springs Dam and potential effects on aquatic habitat” (Stillwater Sciences 2000),
- “Potential spawning habitat for anadromous salmonids in the upper reach of Soda Springs Reservoir” (Stillwater Sciences 2000), and
- “Assessment of spawning gravel in the North Umpqua River reach upstream of Slide Creek Dam” (Stillwater Sciences 2000).

In view of the natural constraints existing in the Soda Springs bypass reach, the Parties agree to amend section 8.3 of the Settlement Agreement by striking entirely the previous version of section 8.3, and replace it with a program the focus of which is broader than simply the Soda Springs bypass reach. The amended section 8.3 provides for the restoration or creation of salmonid habitat below Soda Springs dam, both within select areas of the bypass reach, as well as the mainstem North Umpqua below the Soda Springs powerhouse, and tributary areas below Soda Springs powerhouse. Habitat restoration efforts may focus on areas in the upper Soda Springs bypass reach, and areas between Soda Springs dam and Rock Creek that are conducive to such efforts.

Similar to the previous section 8.3, the amended section 8.3 requires PacifiCorp to prepare a feasibility assessment, implementation plan, and monitoring plan in conjunction with the Agencies as part of this habitat restoration project. Further, prior to initiation of habitat restoration efforts, PacifiCorp shall prepare a baseline habitat survey of habitat restoration sites to evaluate the benefits of such measures. Aside from ongoing monitoring and gravel augmentation efforts, restoration or creation measures conducted pursuant to amended section 8.3 will be completed by December 31, 2004.

Originally, the Settlement Parties agreed to restore and/or create about 5,000 to 15,000 square feet of salmonid spawning habitat in the Soda Springs bypass reach, subject to the natural constraints of the river channel. However, after conducting preliminary baseline surveys, the Parties determined that only about 1,500 square feet of marginal salmonid spawning habitat could potentially be created in this reach due to limitations arising from the steep gradient and high water velocities. To achieve similar habitat benefits in other areas conducive to habitat restoration, the Parties agree that PacifiCorp will fund habitat restoration projects in an amount not to exceed \$410,000 in 2002 dollars.² This funding level covers all aspects of the habitat

² In arriving at this funding level, the Settlement Parties evaluated the estimated costs of restoring or enhancing spawning habitat in the Soda Springs bypass reach and in other areas downstream from Soda Springs Dam. After reviewing and discussing such estimates, the Settlement Parties concluded that this funding level would

restoration project contemplated in amended section 8.3, including, but not limited to, the planning, design, permitting, construction, monitoring and ongoing maintenance (including gravel augmentation) of habitat restored and/or created.

In establishing PacifiCorp's financial obligation under amended section 8.3, the Parties evaluated a variety of technical information, including (1) the amount of suitable spawning habitat that could be created in the Soda Springs bypass reach given natural constraints; (2) potential habitat restoration/creation at alternative sites; and (3) the estimated cost of habitat restoration measures in the bypass reach and alternative areas. Cost estimates were extrapolated to estimate the cost of providing equivalent habitat benefits in the upper Soda Springs bypass reach and areas downstream from Soda Springs dam, relative to the anticipated benefits of the previous section 8.3. The Parties conclude the resulting financial obligation on the part of PacifiCorp to fund habitat restoration measures associated with amended section 8.3 in an amount not to exceed \$410,000, coupled with the anticipated benefits of amended section 7.2 described below, fully satisfy the Parties' goals, objectives, and legal mandates, as they relate to the previous section 8.3.

3.2 Timing of Instream Flows (Amendment Section 1; Settlement Agreement Section 5.1)

Instream flows are an important component of the physical and ecological processes that influence aquatic and riparian habitat conditions in the North Umpqua basin. Instream flows are discussed in Section 4 of the Synthesis Report (Stillwater Sciences 2001).

Amended section 5.1 strikes the last sentence in the original section 5.1 and replaces that sentence as follows:

Commencing on September 1, 2003, PacifiCorp shall increase the minimum instream flow in the Soda Springs bypass reach to 95 cfs. Commencing on September 1, 2005, PacifiCorp shall increase the minimum instream flow in the Soda Springs bypass reach to 275 cfs for the term of the New License.

Originally section 5.1 of the Settlement Agreement required that instream flows in the Soda Springs bypass reach increase to 275 cfs in 2003, upon completion of habitat restoration activities in this reach. In revising section 5.1 of the Settlement Agreement, the Settlement Parties agree to increase instream flows prior to completion of activities under amended section 8.3 to provide enhanced habitat conditions in this reach. The Settlement Parties agree that increasing flows to 95 cfs by September 1, 2003, will provide increased near-term habitat benefits for spawning salmonids.³ For example, available information indicates that increasing

provide sufficient financial resources to achieve the Parties' original ecological objectives associated with section 8.3 of the Agreement.

³ The NGOs comment in their December 9, 2002, letter that the Settlement Parties provide no explanation why the Amendment alters the timetable for increasing instream flows in the Soda Springs bypass reach. In arriving at the agreement reflected in amended section 5.1, the Parties evaluated the biological benefits of increasing instream flows in the Soda Springs bypass reach prior to completion of habitat restoration actions contemplated under amended section 8.3. The Parties conclude that increasing instream flows in this reach to 95 cfs will provide substantial interim benefits to aquatic species as indicated in Stillwater Sciences (1998), and that increasing instream

instream flows in the Soda Springs bypass reach to 95 cfs increases available weighted usable area (WUA) for spawning spring chinook salmon (PacifiCorp 1995). After carefully considering the potential biological benefits and economic costs of increasing instream flows in this reach, the Parties conclude that increasing instream flows to 95 cfs meet their respective near-term objectives for this reach as originally contemplated in section 5.1.

As with the original section 5.1, the Parties agree to increase instream flows to 275 cfs upon completion of habitat restoration measures in the Soda Springs bypass reach, and in areas below this reach. The Settlement Parties previously determined that increasing instream flows in this reach to 275 cfs would result in substantial benefits to spawning salmonids (PacifiCorp 2001b).

3.3 Continuation of Ongoing Gravel Augmentation until Completion of Habitat Restoration Project under Amended Section 8.3 (Amendment Section 2; Agreement Section 7.1)

Fluvial geomorphic processes influence stream channel morphology and the types and quality of aquatic and riparian habitats found within a watershed. The hydrologic regime, sediment regime, riparian vegetation, and LWD are important components of fluvial geomorphic processes. The watershed analysis examined the effects of the Project, forest management activities, and other land uses on fluvial geomorphic processes, channel morphology, and aquatic and riparian habitats in the North Umpqua River basin. A summary of these analyses is presented in Section 2 of the Synthesis Report (“Fluvial geomorphic processes, channel morphology, and aquatic and riparian habitats”).

The Settlement Parties agree to amend section 7.1 of the Settlement Agreement by striking “until completion of the Soda Springs Bypass Reach Alluvial Restoration Project required by section 8.3 of this Agreement” and replacing it with “until December 31, 2004. The second sentence of section 7.1 is amended by striking “until the commencement of the Soda Springs Bypass Reach Alluvial Restoration Project” and likewise replacing it with “until December 31, 2004.” This amendment results in a requirement for PacifiCorp to continue its existing ongoing gravel augmentation program below Soda Springs dam (consisting of passing 400 cubic yards of gravel per year past the dam at a cost of up to \$5,000 per year) until December 31, 2004.

Originally, the first and second sentences of section 7.1 of the Settlement Agreement, conflicted since the first required PacifiCorp to continue its ongoing gravel augmentation program below Soda Springs dam until completion of measures required by section 8.3 while the second sentence required ongoing gravel augmentation until commencement of measures required by section 8.3. The Parties resolved this inconsistency by agreeing that ongoing gravel augmentation would continue until December 31, 2004, a date corresponding with the completion date of habitat restoration measures under amended section 8.3 (see amended section 8.3.6).

The purpose of the ongoing gravel augmentation program is to continue gravel supplies below Soda Springs dam until completion of habitat restoration measures required by amended section

flows to 275 cfs in this reach is not required until completion of habitat restoration measures contemplated by amended section 8.3, resulting in the creation of additional salmonid spawning habitat in this reach.

8.3. Upon completion of measures under section 8.3, alternative gravel augmentation measures will commence that focus on restored or created habitat areas. Further, as discussed below, upon completion of measures required by amended section 8.3, a more comprehensive gravel augmentation program will commence to enhance habitat below Soda Springs dam.

3.4 Amended Gravel Augmentation Program (Amendment Section 3; Settlement Agreement Section 7.2)

Numerous studies conducted during the watershed analysis and subsequent investigations provide the technical basis for determining the effects of the Project and the expected effectiveness of the measures contained in the Settlement Agreement. Investigations conducted as part of the sediment budget analysis indicates that Project impoundments trap nearly all bed load transported from upstream reaches. Bed load delivery to the Soda Springs bypass reach and the reach from Soda Springs powerhouse to Boulder Creek has been reduced. Available estimates suggest that gravel recruitment has been reduced by about 4,000 tons a year in this area (Stillwater Sciences 1998). The magnitude of bed load supply reductions downstream of Soda Springs dam decreases in a downstream direction between Boulder Creek and Steamboat Creek, due to increased sediment production associated with roads and timber harvest in tributary basins. Downstream of Steamboat Creek, the sediment budget analysis indicates that bedload supply is higher than under pre-project conditions.

Additional investigations (e.g., geomorphic effects analyses) indicate little evidence of substantial change in channel morphology due to Soda Springs dam downstream of Boulder Creek (USDA-FS 1999). Upstream of Boulder Creek, however, the changes were evident as a result of reduction of bed load supply from the upper basin. Similarly, the effects of Soda Springs dam on downstream aquatic habitat are limited to the reaches just below the dam, and there is little evidence of channel change downstream of Boulder Creek (USDA-FS 1999).

Additional reports concerning fluvial geomorphic processes in the watershed include:

- Appendix 2-1 of the Synthesis Report (“Sediment budget report”),
- Appendix 4-1 of the Synthesis Report (“Daily average hydrographs for in-stream flow studies”),
- Appendix 7-1 of the Synthesis Report (“Bed substrate mobility in the North Umpqua River, Copeland gauging station”),
- “Geomorphic effects of Soda Springs Dam and potential effects on aquatic habitat” (Stillwater Sciences 2000),
- “Criteria for evaluation of management alternatives for connectivity at Soda Springs Dam” (Stillwater Sciences 1999),
- “Methods for achieving connectivity at Soda Springs Dam under a dam-in-place scenario” (Stillwater Sciences 1999),
- “Dam-in-place alternative: further responses to questions from the Soda Springs Connectivity Subgroup” (Stillwater Sciences 1999),
- “Summary of existing information related to connectivity at Soda Springs Dam” (Stillwater Sciences 1999), and

- “Preliminary assessment of issues related to sediment augmentation at Soda Springs Dam” (Stillwater Sciences 1999).

Originally, section 7.2 of the Settlement Agreement provided that beginning in 2004, PacifiCorp would provide gravel augmentation in coordination with the previous Soda Springs Bypass Reach Alluvial Restoration Project (previous section 8.3). Implementation of the previous Soda Springs Bypass Reach Alluvial Restoration Project (December 31, 2003) coincided with the initiation of the gravel augmentation program required under the previous section 7.2.

The Settlement Parties discussed at length the purpose and need for a gravel augmentation program below Soda Springs Dam. In doing so, the Settlement Parties designed a gravel augmentation program that meets all of the Parties’ goals and objectives. Below follows a brief summary of an analysis on this subject completed by Stillwater Sciences at the direction of PacifiCorp. A more detailed discussion of this analysis is contained in Stillwater Sciences (2002c).

The watershed analysis report “Geomorphic Effects of Soda Springs Dam and Potential Effects on Aquatic Habitat” (Stillwater Sciences 2000) describes the gravel deposits and other channel features downstream of the dam. In addition to the agency and Stillwater representatives on the Science Team, this report was produced in consultation with and reviewed by Dr. Gordon Grant of the USDA Forest Service and Dr. Bill Dietrich of the Geology Department at U.C. Berkeley, who directed the research and helped develop the conclusions contained in this report. There was little evidence of substantial change in channel morphology due to Soda Springs dam downstream of Boulder Creek; change appears to be limited to the reach between Soda Springs dam and Boulder Creek. The report documented that eddy zones appear to be undersaturated upstream of Boulder Creek, and saturated downstream of Boulder Creek. Therefore, the most direct way of addressing the morphological effects of Soda Springs dam is to augment gravel in the reach between Soda Springs dam and Boulder Creek, in those places that would have had gravel patches (or larger patches) before the Project was constructed, but do not have them now. This approach would have the additional advantage of creating spawning habitat over and above what would be created as a result of the Section 8.3 habitat enhancements.

Since gravel bars are absent in the reach from Soda Springs dam to Boulder Creek, the sites most likely to have contained gravel under historical conditions are eddies associated with both boulders and irregularities in the channel bank. The dynamics of sediment deposition in eddies associated with boulders are poorly understood, and are therefore difficult to predict. In addition, the gravel saturation of the eddy zones under pre-Project conditions is unknown, and is therefore limited to our best scientific estimates. Stillwater Sciences mapped the extent of gravel deposits in the reach in December 1998, and found that two of ten eddy zones had some gravel associated with them. Since Soda Springs dam has been in place for a long period of time, it is likely that these gravel deposits resulted from gravel augmentation that began in 1992 upstream of the Soda Springs Powerhouse. About 770 tons of gravel per year has been added to the Soda Springs Bypass Reach between 1992 and 1998, and no other sources of equivalent magnitude occur between Soda Springs dam and the confluence with Boulder Creek. With the above considerations, the Settlement Parties have designed a two-stage augmentation program, as described below.

Stage 1: PacifiCorp will add a large pulse of gravel to the river downstream of Soda Springs dam, and monitor where new gravel patches form (or existing patches expand) to assess which locations are most likely to retain gravel. In order to assess which sites may have contained gravel patches under reference conditions, the volume of gravel augmentation should be equivalent to the estimated annual supply prior to dam construction. Since gravel depositional dynamics change based on the flow regime, the locations where gravel should be stable likely change depending on the magnitude of high flows. Therefore, the results of this pulse can be used to indicate locations where gravel deposition could have occurred, and these locations can be monitored and/or directly augmented in the future in an effort to re-create the pre-dam patterns of gravel deposition. Identified sites would then be maintained using a targeted, site-specific gravel augmentation program over the course of the New License. Using these considerations, the Parties will add a one-time pulse of about 4,000 tons gravel to the reach to identify potential depositional zones. The gravel pulse would be conducted during the first year of the gravel augmentation program. Monitoring before and after the pulse would allow identification of the affected depositional zones. The depositional zones affected by the pulse would be used as the augmentation sites for the second stage of the program.

Stage 2: The depositional zones identified after the Stage 1 gravel pulse would serve as the initial gravel augmentation sites. For budgeting purposes, the Settlement Parties assume that 5 of the sites will be identified that are able to retain gravel, and thus will be periodically augmented over the term of the New License. The Settlement Parties further assume that augmentation will take place every five years, i.e., gravel deposits will be augmented seven times during the 35-year license period. The amount of gravel to be augmented at each site is assumed to be 20 tons, or roughly 13.5 cubic yards. This will allow for a gravel patch of 100 square ft with a depth of about 3.65 ft. Larger or deeper patches are unlikely to occur because the gravel in larger patches would be lost during high-flow events. As part of Stage 2, the Parties will conduct a monitoring program that includes pre-augmentation monitoring to document the pre-implementation condition of the reach, and three post-implementation monitoring visits to document the evolution of the augmented gravel.

The Settlement Parties agree that PacifiCorp's commitment to fund the proposed gravel augmentation program in an amount not to exceed \$227,500 (2002 dollars), coupled with the Settlement Parties' agreement to potentially use the USDA-FS mitigation fund for additional costs, fully satisfies the Settlement Parties' respective goals, objectives, and legal mandates. In arriving at this cost estimate, the Settlement Parties considered the costs of a one time pulse experiment and associated monitoring, as well as the costs of site specific gravel augmentation, oversight, permitting, and monitoring (Stillwater Sciences 2002b). The Settlement Parties agreed to adjust preliminary cost estimates (\$175,000) upwards by 30 percent to account for uncertainty; thus, the resulting funding level represents a conservative estimate of the potential cost of program implementation. Finally, the Settlement Parties agree that if actual program costs exceed \$227,500, additional funding may be made available through use of USDA-FS mitigation funds.

4. LITERATURE CITED

Barnard, K., and S. McBain. 1994. Standpipe to determine permeability, dissolved oxygen, and vertical particle size distribution in salmonid spawning gravels. Fish Habitat Relationships Technical Bulletin No. 15. USDA Forest Service.

McCuddin, M. E. 1977. Survival of salmon and trout embryos and fry in gravel-sand mixtures. Master's thesis. University of Idaho, Moscow.

PacifiCorp. 1995. Application for new license for major modified project. North Umpqua Hydroelectric Project, FERC Project No. 1927, Douglas County, Oregon. Portland, Oregon.

PacifiCorp. 2000. Addendum to the 1995 application for new license for major modified project. North Umpqua Hydroelectric Project, FERC Project No. 1927, Douglas County, Oregon. Portland, Oregon.

PacifiCorp. 2001a. Offer of Settlement for the Relicensing of the North Umpqua Hydropower Project, P-1927-008, Douglas County, Oregon. June 13, 2001.

PacifiCorp. 2001b. Explanatory statement for North Umpqua Settlement Agreement. July, 2001.

Stillwater Sciences. 1998. The North Umpqua cooperative watershed analysis synthesis report. Prepared by Stillwater Sciences, Berkeley, California for PacifiCorp, Portland, Oregon.

Stillwater Sciences. 1998a. Assessment of historical habitat conditions in the reach of the North Umpqua River currently inundated by Soda Springs Reservoir. Prepared by Stillwater Sciences, Berkeley, California for PacifiCorp, Portland, Oregon.

Stillwater Sciences. 1999. Preliminary assessment of issues related to sediment augmentation at Soda Springs dam. Prepared by Stillwater Sciences, Berkeley, California for PacifiCorp, Portland, Oregon.

Stillwater Sciences. 1999. Criteria for evaluation of management alternatives for connectivity at Soda Springs dam. Prepared by Stillwater Sciences, Berkeley, California for PacifiCorp, Portland, Oregon.

Stillwater Sciences. 1999. Methods for achieving connectivity at Soda Springs dam under a dam-in-place scenario. Prepared by Stillwater Sciences, Berkeley, California for PacifiCorp, Portland, Oregon.

Stillwater Sciences. 1999. Dam-in-place alternative: further responses to questions from the Soda Springs Connectivity Subgroup. Prepared by Stillwater Sciences, Berkeley, California for PacifiCorp, Portland, Oregon.

Stillwater Sciences. 1999. Summary of existing information related to connectivity at Soda Springs dam. Prepared by Stillwater Sciences, Berkeley, California for PacifiCorp, Portland, Oregon.

Stillwater Sciences. 2000. Geomorphic Effects of Soda Springs dam and Potential Effects on Aquatic Habitat. Prepared by Stillwater Sciences, Berkeley, California for PacifiCorp, Portland, Oregon.

Stillwater Sciences. 2000. Potential spawning habitat for anadromous salmonids in the upper reach of Soda Springs Reservoir. Prepared by Stillwater Sciences, Berkeley, California for PacifiCorp, Portland, Oregon.

Stillwater Sciences. 2000. Assessment of spawning gravel in the North Umpqua River reach upstream of Slide Creek dam. Prepared by Stillwater Sciences, Berkeley, California for PacifiCorp, Portland, Oregon.

Stillwater Sciences. 2001. Soda Springs and Slide Creek enhancement reaches: Baseline spawning habitat conditions. Prepared by Stillwater Sciences, Berkeley, California for PacifiCorp, Portland, Oregon.

Stillwater Sciences 2002a. Evaluation of habitat enhancement in the Soda Springs Bypass Reach. Prepared by Stillwater Sciences, Berkeley, California for PacifiCorp, Portland, Oregon. February 25, 2002.

Stillwater Sciences. 2002b. Gravel Augmentation Analysis. Prepared by Stillwater Sciences, Berkeley, California for PacifiCorp, Portland, Oregon.

Tagart, J. V. 1976. The survival from egg deposition to emergence of coho salmon in the Clearwater River, Jefferson County, Washington. Master's thesis. University of Washington, Seattle.

Terhune, L. D. B. 1958. The Mark VI groundwater standpipe for measuring seepage through salmon spawning gravel. Journal of the Fisheries Research Board of Canada 15: 1027-1063.

USDA-FS. 1999. Scientific review of proposed recommendations concerning Soda Springs dam. Memorandum from Pacific Northwest Research Station to Umpqua National Forest. March 16, 1999.

Settlement Agreement Amendment No. 2 (July 2005)

**AMENDMENT NO. 2 TO THE
SETTLEMENT AGREEMENT
CONCERNING THE RELICENSING OF THE
NORTH UMPQUA HYDROELECTRIC PROJECT
FERC PROJECT NO. 1927-008
DOUGLAS COUNTY, OREGON**

This AMENDMENT NO. 2 TO THE JUNE 13, 2001, NORTH UMPQUA HYDROELECTRIC PROJECT SETTLEMENT AGREEMENT ("the Settlement Agreement") is made as of July 5, 2005 ("the Amendment Date") by and among PacifiCorp, an Oregon corporation; USDA Forest Service ("USDA-FS"); USDI Fish and Wildlife Service ("USFWS"); USDI Bureau of Land Management ("BLM"); National Marine Fisheries Service ("NMFS"); Oregon Department of Environmental Quality ("ODEQ"); Oregon Department of Fish and Wildlife ("ODFW"); and Oregon Water Resources Department ("OWRD"), each referred to individually as a "Party" and collectively as the "Parties." Parties other than PacifiCorp may be referred to collectively as the "Governmental Parties."

RECITALS

A. The Parties entered into a Settlement Agreement dated June 13, 2001, concerning the relicensing of the North Umpqua Hydroelectric Project (FERC No. P-1927) ("the Project"). 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.

B. 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. Section 7.5 of the Settlement Agreement requires that the Reconnection Structure be designed so as to allow passage of sediment and woody debris during high-flow events.

C. On January 26, 2005, the Resource Coordination Committee ("the RCC")¹ met to discuss PacifiCorp's proposed design plans for a Reconnection Structure. In this meeting, the OWRD, with the concurrence of USDA-FS and ODFW, approved PacifiCorp's conceptual design plans. In an email to PacifiCorp dated February 1, 2005, OWRD reiterated its approval of PacifiCorp's conceptual design plans. On June 16, 2005, after consultation with PacifiCorp, USDA-FS, and ODFW, OWRD approved the final design plans and specifications in accordance with Section 10.3 of the Settlement Agreement.

¹ The RCC is comprised of representatives from each party to the Settlement Agreement. The RCC, among other things, facilitates coordination and consultation on plans developed by PacifiCorp for implementation of Settlement Agreement measures.

D. The Parties recognize that their collective goals and objectives are best served by PacifiCorp's construction of a structure that permits movement of fish, amphibians, and macroinvertebrates across a normal range of river flows and runoff conditions. The Parties further recognize that construction of a large, highly engineered structure of the type necessary to permit passage of all flows over all potential runoff conditions in the Clearwater River would be inconsistent with the Parties' objectives to minimize the Project's impacts on the environment.

NOW, THEREFORE, the Parties agree as follows:

1. Section 10.3 of the Agreement is amended, in the third sentence, by striking the phrase "all of the" and inserting at the end of this sentence "in accordance with the conceptual design plans approved by OWRD on February 1, 2005, and final design plans and specifications approved by OWRD on June 16, 2005."

2. The Governmental Parties hereby agree that Section 10.3 of the Settlement Agreement, as amended herein, and construction of the Reconnection Structure in accordance with the final design plans and specifications approved by OWRD, remain consistent with the Governmental Parties' related goals, objectives, and mandates under the Settlement Agreement, including the requirements of Section 7.5 of the Settlement Agreement.

3. This Amendment may be executed in any number of counterparts, and each executed counterpart shall have the same force and effect as an original instrument as if all the signatory Parties to all of the counterparts had signed the same instrument. Any signature page of this Amendment may be detached from any counterpart of this Amendment without impairing the legal effect of any signatures, and may be attached to another counterpart of this Amendment identical in form having attached to it one or more signature pages.

4. Each signatory to this Amendment certifies that he or she is authorized to execute this Amendment and to legally bind the Party he or she represents, and that such Party shall be fully bound by the terms hereof upon such signature without any further act, approval, or authorization by such Party.

5. Except as expressly amended by the previous sections of this Amendment No. 2, the Settlement Agreement remains in full force and effect as executed on June 13, 2001, and as amended on November 1, 2002.

PacifiCorp

Holly Harwood

By: Holly Harwood

7/5/05

Date:

Oregon Water Resources Department

[Signature]

By:

7/1/05

Date:

United States Department of Agriculture Forest Service

James A. Caplan
By: James A. Caplan, Forest Supervisor

7/1/05

Date:

USDI Fish and Wildlife Service

[Signature]
By:

June 29, 2005

Date:

National Marine Fisheries Service

Keith Kuhlmann

By:

7/5/05

Date:

USDI Bureau of Land Management

[Signature]
By:

7/1/05

Date:

Oregon Department of Fish and Wildlife

Lindsay A. Bell
By:

07-01-05

Date:

Oregon Department of Environmental Quality

[Signature]
By: KERRY L. NELSON

6/30/05

Date:

EXHIBIT B

FERC License Order (License Articles)

FERC LICENSE ORDER REGARDING THE PLAN AND RCC

ORDER APPROVING SETTLEMENT OFFER AND ISSUING NEW LICENSE

Project No. 1927-008

(Issued November 18, 2003)

1. ...This order approves an offer filed by PacifiCorp of a settlement that it reached with various governmental entities...

The Settlement Agreement

41. Section 21 requires PacifiCorp to finalize a Resource Coordination Plan that was included in a draft form in its license application and that describes the processes for implementation of the license conditions, ongoing operations, and maintenance activities consistent with the terms of the Agreement. PacifiCorp is also to convene a Resource Coordination Committee that will have the responsibility for facilitating and coordinating the implementation of protection, mitigation, and enhancement measures consistent with the Resource Coordination Plan and the Agreement. Section 21 contains further provisions for the holding of meetings and reaching of decisions in respect to this committee. Section 21 also provides procedures for PacifiCorp to consult with other parties to the Agreement in the preparation of site-specific plans for construction activities, requires PacifiCorp to permit other parties to inspect project facilities and records, and requires PacifiCorp to conduct or fund environmental analysis for any ground- or habitat-disturbing activities on National Forest System land required for implementation of any protection, mitigation, and enhancement measure.
47. The terms of the Agreement, as amended, will be incorporated as license conditions...

Note: The RCP is not included Article 401 (Commission Approval, Reporting, and Filing of Amendments) or any other License Articles.

EXHIBIT C

Resource Coordination Committee Members Contact List

Resource Coordination Committee Members (2006)

RCC Member	Caucus Members	Organization
John Sloan	Pam Sighting (Alternate) Walt Dortch John Ouimet	USDA Forest Service, Umpqua National Forest, Roseburg, Oregon
Craig Tuss	Rob Burns (Alternate) Scott Center Peter Lickwar Dave Peterson	USDI Fish and Wildlife Service, Roseburg, Oregon
Dan Couch	Bill O'Sullivan (Alternate) Julie Knurowski Fred Larew	USDI Bureau of Land Management, Roseburg District, Roseburg, Oregon
Stephanie Burchfield	Ed Meyer (Alternate) Keith Kirkendall Ken Phippen	NOAA's National Marine Fisheries Service, Portland, Oregon
Dave Harris	Dave Loomis (Alternate) Steve Denny Ken Homolka	Oregon Department of Fish and Wildlife, Roseburg, Oregon
Dennis Belsky	Paul Heberling (Alternate) John Blanchard Greg McMurray	Oregon Department of Environmental Quality, Medford, Oregon
Craig Kohanek	Dave Williams (Alternate)	Oregon Water Resources Department, Salem, Oregon
Monte Garrett	Richard Grost (Alternate) Diane Barr Charles Martin	PacifiCorp Energy, Portland, Oregon

EXHIBIT D

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

RCC Subcommittee Ground Rules will be developed within 6 months of being
formed by the RCC Plenary

EXHIBIT E

Resource Coordination Summary Matrix

Exhibit E - Resource Coordination Summary Matrix

Row No.	Settlement Agreement Section	Lic. Order Ref #	Specific Action / PM&E Title	Resource Area	Implementation Type	RCC Assignments ¹	Complexity Rating ²	Estimated Project Start Date (Year)	Target Due Date (Inc. FERC Extensions)	Actual Completion Date (Year) ⁴	Ongoing Consultation Frequency (N, A, P) ⁶	Program/Plan or Related References/Notes (Deviations from SA Noted)	SA Consulting/Approving Agencies ³							
													NMFS	USDI-FWS	USDA-FS	USDI-BLM	ODFW	ODEQ	OWRD	RCC
1	4.1.1 a	Article 401, 407, Appendix D	Soda Springs upstream fish passage design	Aquatics	Design	FPD TWG	H	2006	2007		N	Final design	a	a	a		a			
2	4.1.1 b	Article 401, 407, Appendix D	Soda Springs upstream passage fish counting video system, long-term monitoring	Aquatics	Monitoring	FPD / FHS TWG	L	2006	2039		A	Video fish counting system factors into design, construction, evaluation, O&M					a			
3	4.1.1 c	Article 401, 408, Appendix D	Soda Springs upstream fish passage operation and maintenance plans	Aquatics	Plan	FPD TWG	H	2006	2007		N	Soda Springs fish passage operation and maintenance plan	a	a	a		a			
4	4.1.1 d	Article 401, 402, 407, Appendix D	Soda Springs upstream passage evaluation plan	Aquatics	Plan	FPD TWG	H	2008	2010		P	Soda Springs final post construction evaluation plan, evaluation occurs 2010-2012	a	a	a		a			
5	4.1.1 e (part 1)	Article 401, Appendix D	Soda Springs fish ladder construction	Aquatics	Construction	FPD TWG	H	2010	2010		P	Must complete to allow for testing by 2012	c	c	a	c	c			
6	4.1.1 e (part 2)	Article 401, Appendix D	Soda Springs fish ladder evaluation	Aquatics	Evaluation	FPD / FHS TWG	H	2010	2012		P	Ensure proper functioning by 2012	c	c	c	c	c			
7	4.1.1 f	Article 401, 407, Appendix D	Soda Springs tailrace barrier design + construction	Aquatics	Design / Construction	FPD TWG	H	2003	2007		P	Provide barrier to prevent entry into tailrace and delay	a	a	a		a			
8	4.1.1 f	Article 401, 407, Appendix D	Slide Creek tailrace barrier design + construction	Aquatics	Design / Construction	FPD TWG	H	2006	2010		P	Provide barrier to prevent entry into tailrace and delay	a	a	a		a			
9	4.1.1 f	Article 401, Appendix D	Soda Springs tailrace existing protection measures	Aquatics	Operations	None	L	2001	2007		P	Maintain existing protection measures until TRB installed								
10	4.1.2 a	Article 401, 402, 407, Appendix D	Soda Springs downstream fish passage and trap design	Aquatics	Design	FPD TWG	H	2006	2007		P	Final design to agencies by 2007	a	a	a		a			
11	4.1.2 b	Article 401, Appendix D	Soda Springs downstream fish passage post-construction evaluation plan	Aquatics	Plan	FPD / FHS TWG	H	2006	2007		P	Operation and maintenance plans	a	a	a		a			
12	4.1.2 b	Article 401, Appendix D	Soda Springs downstream fish passage O&M plan	Aquatics	Plan	FPD TWG	M	2006	2007		P	Soda Springs downstream fish passage O&M plan	a	a	a		a			
13	4.1.2 b	Article 401, Appendix D	Soda Springs downstream fish passage long-term monitoring plan	Aquatics	Plan	FPD / FHS TWG	L	2012	2012		P	Soda Springs downstream fish passage long-term monitoring plan, relates to SA 19.2 monitoring	a	a	a		a			
14	4.1.2 c	Article 401, Appendix D	Soda Springs downstream fish passage, include trap for evaluation and monitoring	Aquatics	Monitoring	FPD / FHS TWG	H	2006	2039		P	Soda Springs downstream fish passage long-term monitoring, part of SA 19.2 monitoring	a	a	a		a			
15	4.1.2 d (part 1)	Article 401, Appendix D	Soda Springs downstream fish passage construction	Aquatics	Construction	FPD TWG	H	2010	2010		P	Build by 2010, evaluate and modify for completion by 2012	a	a	a		a			
16	4.1.2 d (part 2)	Article 401, Appendix D	Soda Springs downstream fish passage evaluation	Aquatics	Evaluation	FPD / FHS TWG	H	2010	2012		P	Evaluate 2 years	a	a	a		a			
17	4.1.2 f (part 1)	Article 401, 407, Appendix D	Soda Springs downstream fish passage spillway modifications--design	Aquatics	Design	FPD TWG	M	2008	2009		P	Spillway modification design	a	a	a		a			
18	4.1.2 f (part 2)	Article 401, 407, Appendix D	Soda Springs downstream fish passage spillway modifications--construction	Aquatics	Construction	FPD TWG	M	2012	2012		P	Spillway modification construction	a	a	a		a			
19	4.3.2 b	Article 401, 402, Appendix D	Fish Creek downstream fish passage facility O&M plan	Aquatics	Plan	FPD TWG	M	2006	2007		P	Submit Fish Creek O&M plan with final design	a	a	a		a			
20	4.3.1 a	Article 401, 407, Appendix D	Lemolo No. 2 upstream fishway modifications design	Aquatics	Design	FPD TWG	M	2004	2004	2005	N	Design modifications to the Lemolo No. 2 fishway	a	a	a		a			
21	4.3.1 a	Article 401, 407, Appendix D	Lemolo No. 2 upstream fishway modifications construction	Aquatics	Construction	FPD TWG	M	2005	2007	2006	N	Modify fish ladder			a					

Exhibit E - Resource Coordination Summary Matrix

Row No.	Settlement Agreement Section	Lic. Order Ref #	Specific Action / PM&E Title	Resource Area	Implementation Type	RCC Assignments ¹	Complexity Rating ²	Estimated Project Start Date (Year)	Target Due Date (Inc. FERC Extensions)	Actual Completion Date (Year) ⁴	Ongoing Consultation Frequency (N, A, P) ⁶	Program/Plan or Related References/Notes (Deviations from SA Noted)	SA Consulting/Approving Agencies ³							
													NMFS	USDI-FWS	USDA-FS	USDI-BLM	ODFW	ODEQ	OWRD	RCC
22	4.3.1 b	Article 401, 407, Appendix D	Fish Creek and Lemolo No. 2 fish ladder maintenance	Aquatics	Maintenance	FPD TWG	M	2006	2039				c		c		c			
23	4.3.1 c (part 1)	Article 401, 407, Appendix D	Fish Creek upstream fish passage O&M plans	Aquatics	Plan	FPD TWG	M	2005	2007	2005	P	O&M plans for both ladders	a	a	a		a			
24	4.3.1 c (part 2)	Article 401, 407, Appendix D	Lemolo No. 2 upstream fish passage O&M plan	Aquatics	Plan	FPD TWG	M	2005	2005	2005	P	O&M plans for both ladders		a	a		a			
25	4.3.1 e	Article 401, 407, Appendix D	Lemolo No. 2 upstream passage evaluation plan	Aquatics	Plan	FPD TWG	M	2005	2005	2005	P	Final evaluation plan for upstream fish passage, due in 2006		a	a		a			
26	4.3.1 e	Article 401, 408, Appendix D	Lemolo No. 2 upstream fish passage evaluation	Aquatics	Evaluation	FHS / FPD TWG	M	2006	2007		P	Evaluation of ladder efficiency		c	c		c			
27	4.3.2 a	Article 401, 402, 407, Appendix D	Fish Creek downstream fish passage screen design	Aquatics	Design	FPD TWG	M	2004	2005	2006	P	Final design to agencies	a	a	a		a			
28	4.3.2 a	Article 401, 402, 407	Fish Creek downstream fish passage screen construction	Aquatics	Construction	FPD TWG	H	2007	2007		P	Fish Creek fish screen installation			a					
29	4.3.2 b	Article 402, Appendix D	Fish Creek downstream fish passage facility operation and maintenance plan	Aquatics	Monitoring	FPD / FHS TWG	M	2006	2007		A	Evaluation in 2008?	a	a	a		a			
30	4.3.2 b	Article 403, Appendix D	Fish Creek downstream fish passage facility operation and maintenance plan	Aquatics	Evaluation	FPD / FHS TWG	M	2008	2009		P		c	c	c		c			
31	4.3.2 b	Article 402, Appendix D	Fish Creek downstream fish passage facility post-construction evaluation plan	Aquatics	Monitoring	FPD / FHS TWG	M	2006	2007		A	Evaluation in 2008?	a	a	a		a			
32	4.3.2 b	Article 403, Appendix D	Fish Creek downstream fish passage facility post-construction evaluation	Aquatics	Evaluation	FPD / FHS TWG	M	2008	2009		P		c	c	c		c			
33	4.3.3	Article 407	Toketee trash rack modification (design/construction)	Aquatics	Design	FPD TWG	L	2008	2009		P	Toketee trash rack			a		c			
34	4.3.3	Article 407	Toketee trash rack modification construction	Aquatics	Construction	FPD TWG	M	2010	2010		P	Toketee trash rack fish screen construction					c			
35	5.1	Article 407	Provide new instream flows in North Umpqua River reaches	Aquatics	Operations	F&R TWG	H	2003	2005	2005	N									
36	5.2	Article 401, 402	Clearwater No. 2 Instream flow Re-evaluation, draft study plan	Aquatics	Operations	FHS TWG	M	2004	2005	2005	N			a	a		a			
37	5.3	--	Modifications to Clearwater No. 2 bypass instream flow requirements	Aquatics	Operations	FHS TWG	M	2004	2005	2005	N			a	a		a			
38	5.5	Articles 403, 407, Appendix A	Write flow monitoring plan	Aquatics	Plan	F&R TWG	M	2001	2002	2004	P	Flow monitoring plan	a	a	a		a	a	a	
39	5.5	Articles 403, 407, Appendix A	Instream flow monitoring (gage O&M, ongoing monitoring and reporting)	Aquatics	Monitoring	F&R TWG	M	2001	2039	2004	P	Flow monitoring, analysis, real-time and annual reporting	a	a	a		a	a	a	
40	5.6	--	Flow (up to 8 cfs) provided for ODFW holding ponds	Aquatics	Operations	Agencies	L	2001	2039		A	ODFW notifies PacifiCorp re: flow timing					c			
41	5.7	--	Fish passage flows - Soda Springs, Fish Creek, and Lemolo No. 2	Aquatics	Operations	FPD TWG	L	2004	2010		N	Relates to fish passage design								
42	5.9	--	Toketee bypass reach flows through Clearwater reconnect structure	Aquatics	Operations	F&R TWG	M	2004	2007	2006	N				c		c		a	
43	6.1	Article 407 Appendix A	Lemolo No. 2 full flow reach -- re-route peaking flows, construction	Aquatics	Construction	L2R TWG	H	2004	2011		P	Design and O&M impact analysis	a	a	a		a	r		
44	6.1.1	Article 407 Appendix A	Lemolo No. 2 full flow re-route impacts analysis and design	Aquatics	Design	L2R TWG	H	2001	2010		P	Final design and analysis of impacts of the construction and operation of the pipe to Stinkhole	a	a	a		a	r		

Exhibit E - Resource Coordination Summary Matrix

Row No.	Settlement Agreement Section	Lic. Order Ref #	Specific Action / PM&E Title	Resource Area	Implementation Type	RCC Assignments ¹	Complexity Rating ²	Estimated Project Start Date (Year)	Target Due Date (Inc. FERC Extensions)	Actual Completion Date (Year) ⁴	Ongoing Consultation Frequency (N, A, P) ⁶	Program/Plan or Related References/Notes (Deviations from SA Noted)	SA Consulting/Approving Agencies ³							
													NMFS	USDI-FWS	USDA-FS	USDI-BLM	ODFW	ODEQ	OWRD	RCC
45	6.2	Appendix A	Slide Creek full flow reach -- no ramping restrictions pending studies	Aquatics	Operations	None	L	2001	2012	2001	N									
46	6.2.1	Article 402, Appendix A	Slide Creek full flow reach -- plan for evaluating impacts of ramping during emergency shutdowns	Aquatics	Plan	F&R TWG	H	2008	2010		P	Ramp / water quality evaluation plan (see 6.2.2)	a	a	a		a	a		
47	6.2.2	Appendix A	Slide Creek full flow reach--implement evaluation and consider operation changes pending 6.2.1 study	Aquatics	Evaluation / Operations	F&R TWG	H	2012	2013		N		c	c	c		c	c		
48	6.3	--	No ramping restrictions on Toketee full flow	Aquatics	Operations	None	L	2001	2039	2001	N									
49	6.4.1, 6.4.2, & 6.4.5	--	Soda Springs ramping limits in Wild & Scenic North Umpqua River	Aquatics	Operations	F&R TWG	L	2001	2001		N	See flow monitoring plan, Lemolo Lake Management Plan								
50	6.4.3	--	Soda Springs and Wild & Scenic North Umpqua River ramping study	Aquatics	Operations	F&R TWG	M	2001	2001		P	Study deferred until ramping capabilities are known	a	a	a	a	a	a		
51	6.4.4	--	Record stage changes-Wild and Scenic reach	Aquatics	Monitoring	F&R TWG	L	2001	2001	2001	N	See flow monitoring plan								
52	6.5	--	Limit ramping in bypass reaches	Aquatics	Operations	F&R TWG	L	2001	2006	2001	P	See flow monitoring plan	a	a	a		a	a		
53	6.5	--	Eliminate ramping in bypass reaches	Aquatics	Operations	F&R TWG	L	2006	2039		P	See flow monitoring plan	c	c	c		c	c	c	
54	6.6	--	Project maintenance in bypass reaches (timing, planning, ramping, ramping modifications)	Aquatics	Maintenance	F&R TWG	L	2004	2006		P	See flow monitoring plan	a	a	a		a	a		
55	6.7	--	Emergency shutdown ramping	Aquatics	Maintenance	CSD TWG	L	2004	2006		P	Adhere to Section 6.6(d) ramping restrictions; modifications must be approved	a	a	a		a	a		
56	6.8	Article 407	Soda Springs emergency bypass valve to maintain Wild and Scenic River criteria	Aquatics	Construction	None	H	2004	2004	2004	N				c					
57	6.9	Article 407	Slide Creek Emergency bypass evaluation	Aquatics	Evaluation	FHS TWG	M	2006	2006		P		a	a	a		a	a	a	
58	7.1	--	Soda Springs gravel augmentation (400 cy annual)	Aquatics	Operations	FHS TWG	L	2001	2004	2004	N	Refers to SA Section 8.3 Soda Springs bypass reach alluvial restoration project								
59	7.2.1	Article 401, Appendix A	Gravel augmentation implementation plan - experimental pulse	Aquatics	Plan	FHS TWG	L	2003	2003	2004	P	Gravel augmentation implementation plan	a	a	a		a			
60	7.2.1	Article 401, Appendix A	Gravel augmentation implementation - experimental pulse	Aquatics	Construction	FHS TWG	L	2003	2003	2004	P	Gravel augmentation implementation plan	a	a	a		a			
61	7.2.1	Article 401, Appendix A	Gravel augmentation implementation plan -- long term	Aquatics	Plan	FHS TWG	L	2003	2006		P	Revise 2003 plan based on experimental results								
62	7.2.1	Article 401, Appendix A	Gravel augmentation implementation -- long term	Aquatics	Construction	FHS TWG	L	2006	2039		P	Revise 2003 plan based on experimental results								
63	7.2.2	Article 402	Gravel augmentation monitoring plan -- experimental pulse	Aquatics	Plan	FHS TWG	M	2003	2006	2004	P	Gravel augmentation monitoring plan	a	a	a		a			
64	7.2.2	Article 402	Gravel augmentation monitoring -- experimental pulse	Aquatics	Evaluation	FHS TWG	M	2003	2006		P	Gravel augmentation experiment monitoring / evaluation	a	a	a		a			
65	7.2.2	Article 402	Gravel augmentation monitoring plan -- long term	Aquatics	Plan	FHS TWG	m	2006	2007		P		a	a	a		a			
66	7.2.3	Article 403	Gravel augmentation monitoring -- long term	Aquatics	Monitoring	FHS TWG	m	2007	2039		P		a	a	a		a			
67	7.2.3	Article 404, Appendix A	Gravel augmentation funding	Aquatics	Fund Payment	FHS TWG	M	2003	2006		N	PacifiCorp reports within RCC annual report								
68	7.3	Appendix A	Plan for passage of woody debris at Soda Springs and Slide dams	Aquatics	Operations	FHS TWG	L	2007	2039	2004	P	Environmental Management System procedure	c	c	c		c	c		
69	7.4	Appendix A	Passage of Sediment ay Slide Creek dam	Aquatics	Operations	FHS TWG	L	2001	2001	2001	N	Environmental Management System procedure	c	c	c		c	c		
70	7.5 (part 1)	Article 407	Reconnection of Clearwater River at Toketee (also see 10.3)	Aquatics	Construction	FPD TWG	M	2004	2005	2006	N				c					
71	7.5 (part 2)	Article 407	Reconnection of Clearwater River at Clearwater 1 Dam (Stump Lake)	Aquatics	Construction	FPD TWG	M	2004	2005	2006	N				c					

Exhibit E - Resource Coordination Summary Matrix

Row No.	Settlement Agreement Section	Lic. Order Ref #	Specific Action / PM&E Title	Resource Area	Implementation Type	RCC Assignments ¹	Complexity Rating ²	Estimated Project Start Date (Year)	Target Due Date (Inc. FERC Extensions)	Actual Completion Date (Year) ⁴	Ongoing Consultation Frequency (N, A, P) ⁶	Program/Plan or Related References/Notes (Deviations from SA Noted)	SA Consulting/Approving Agencies ³							
													NMFS	USDI-FWS	USDA-FS	USDI-BLM	ODFW	ODEQ	OWRD	RCC
72	8.2	Article 401, 404, 407	Slide Creek bypass habitat enhancement project	Aquatics	Construction	FHS TWG	H	2001	2005		P	See detailed sections	a	a	a		a			
73	8.2.1	Article 401, 404, 407	Slide bypass reach habitat project - implementation plan	Aquatics	Plan	FHS TWG	L	2001	2001	2003	P	Slide bypass reach implementation plan for the placement of boulders	a	a	a		a			
74	8.2.2	Article 401, 402 404, Appendix A	Slide reach monitoring plan	Aquatics	Plan	FHS TWG	M	2001	2001	2004	P	Slide bypass reach monitoring plan	a	a	a		a			
75	8.2.2	Article 401, 402 404, Appendix A	Slide reach monitoring	Aquatics	Monitoring	FHS TWG	M	2001	2016		P	Slide bypass reach monitoring	a	a	a		a			
76	8.2.3	Article 401, 404, 407	Slide baseline habitat survey	Aquatics	Monitoring	FHS TWG	L	2001	2001	2001	N	Slide baseline habitat survey	a	a	a		a			
77	8.2.4	Article 404, 407	Slide Creek placement of boulders / habitat	Aquatics	Construction	FHS TWG	M	2001	2005	2005	P	Habitat enhancements constructed	a	a	a		a			
78	8.3.5	Article 404, 407, Appendix A	North Umpqua River habitat project funding	Aquatics	Fund Payment	FHS TWG	L	2003	2039		A	Annual report to RCC	a	a	a		a			
79	8.3.1	Article 404, 407, Appendix A	North Umpqua River habitat project feasibility assessment	Aquatics	Evaluation	FHS TWG	H	2002	2002	2003	N	Identified Soda Springs bypass as best place for habitat restoration/creation project	a	a	a		a			
80	8.3.2	Article 404	North Umpqua River habitat project implementation plan	Aquatics	Plan	FHS TWG	L	2003	2004	2004	P	Included design of habitat project	a	a	a		a			
81	8.3.2	Article 404	North Umpqua River habitat project implementation	Aquatics	Construction	FHS TWG	L	2003	2004	2004	P	Initial project construction	a	a	a		a			
82	8.3.3	Article 401, 402, 404	North Umpqua River habitat project monitoring plan	Aquatics	Plan	FHS TWG	L	2004	2004	2004	N	Annual and periodic monitoring	a	a	a		a			
83	8.3.3	Article 401, 402, 404	North Umpqua River habitat project monitoring	Aquatics	Monitoring	FHS TWG	L	2004	2039		A	Annual and periodic monitoring	a	a	a		a			
84	8.3.4	Article 404, 407, Appendix A	North Umpqua River habitat project baseline survey	Aquatics	Monitoring	FHS TWG	L	2004	2004	2004	P	North Umpqua River habitat baseline survey	a	a	a		a			
85	8.3.6	Article 407 Appendix A	North Umpqua River habitat project construction completion date	Aquatics	Construction	FHS TWG	L	2004	2039		N	Periodic, based on annual monitoring	a	a	a		a			
86	9.1	--	Stocking of rainbow trout; production funding	Aquatics	Fund Payment	Agencies	L	2004	2004	2004	P				c		c			
87	9.2	--	Rainbow brood stock development	Aquatics	Fund Payment	Agencies		2004	2004	2004	P				c		c			
88	9.3.1.2	Appendix A	Lemolo Lake drawdown special requests	Aquatics	Operations	Agencies	L	2004			P				c		c			
89	9.3.2	Appendix A	Lemolo Lake boat ramp access	Aquatics	Operations	Agencies	L	2001	2039	2039	P				c		c			
90	9.3.3	Appendix A	Lemolo Lake reservoir fluctuations	Aquatics	Operations	Agencies	L	2004	2006	2004	P				c		c			
91	9.3.1 & 9.3.1.1	Appendix A	Management of Lemolo Lake including a plan	Aquatics	Operations	Agencies	L	2001	2004	2004	A	Lemolo Lake management plan, 2004	c	c	a	c	a	c		
92	9.4	Appendix A	Lemolo Lake reservoir banks revegetation	Aquatics	Operations	WBW TWG	L	2006	2010		N	See Vegetation Management Plan								
93	9.5	--	Fish salvage during shutdowns	Aquatics	Operations	Agencies	L	2001	2039		A	Provide advance notice		c	c		c			
94	9.6	--	Enhancement of rainbow trout (brook trout control program -- monitoring)	Aquatics	Monitoring	Agencies	L	2003	2011		P	See SA 19.1 and Memorandum of Understanding					c			
95	10.1	Article 407 Appendix A	Aquatic Connectivity Improvement Plan	Aquatics	Plan	WBW TWG	M	2005	2007		P				a		a			
96	10.2	Article 407 Appendix A	Stump Lake amphibian and invertebrate connectivity ladder	Aquatics	Construction	WBW TWG	M	2005	2007		P	Reconnection ramp			a		a			
97	10.3 (amend 2)	Article 407 Appendix A	Clearwater No. 2 original river channel flows	Aquatics	Operations	F&R TWG	M	2005	2008	2006	N	Clearwater No. 2 flow reconnection			a		a		a	
98	10.3 (amend 2)	Article 407 Appendix A	Clearwater No. 2 Operation Strategy Plan	Aquatics	Operations	F&R TWG	M	2005	2008	2006	P				a		a		a	
99	10.4	Article 407 Appendix A	Deer Creek diversion modification	Aquatics	Construction	WBW TWG	M	2003	2003	2003	N	Return full streamflow and restore riparian habitat			a		a	c		
100	10.4	Article 407 Appendix A	Helen, Spotted Owl, Karen, Thorn, and Mill Creeks diversion removal	Aquatics	Construction	WBW TWG	M	2002	2006	2002	N	Return full streamflow and restore riparian habitat			a		a	c		

Exhibit E - Resource Coordination Summary Matrix

Row No.	Settlement Agreement Section	Lic. Order Ref #	Specific Action / PM&E Title	Resource Area	Implementation Type	RCC Assignments ¹	Complexity Rating ²	Estimated Project Start Date (Year)	Target Due Date (Inc. FERC Extensions)	Actual Completion Date (Year) ⁴	Ongoing Consultation Frequency (N, A, P) ⁶	Program/Plan or Related References/Notes (Deviations from SA Noted)	SA Consulting/Approving Agencies ³							
													NMFS	USDI-FWS	USDA-FS	USDI-BLM	ODFW	ODEQ	OWRD	RCC
101	10.5	Article 401, 407 Appendix A	Riparian restoration at White Mule Creek	Terrestrial	Construction	WBW TWG	M	2005	2006		P	White Mule Creek riparian restoration			a		a	c		
102	10.5	Article 407 Appendix A	Riparian restoration at Potter Creek	Terrestrial	Construction	WBW TWG	M	2005	2005	2005	N	Potter Creek restoration			a		a	c		
103	10.6	Article 407 Appendix A	Aquatic Connectivity site plans	Terrestrial	Plan	WBW TWG	L	2005	2007		P	SA Schedule 10.6 Priority 1 and 2 sites			a		a	c		
104	10.6	Article 407 Appendix A	Reconnecting Aquatic Connectivity Priority 1 sites (57 sites to be completed per Schedule 10.6)	Terrestrial	Construction	WBW TWG	L	2005	2011		P	SA Schedule 10.6 Priority 1 aquatic site reconnections			a		a	c		
105	10.6	Article 407 Appendix A	Reconnecting aquatic sites, Priority 2 (13 sites)	Terrestrial	Construction	WBW TWG	L	2005	2016		P	SA Schedule 10.6 Priority 2 aquatic site reconnections			a		a	c		
106	10.6	Article 407, Appendix A	Re-evaluation of "Re-evaluation" Aquatic sites (13 sites)	Terrestrial	Construction	WBW TWG	L	2005	2016		P	SA Schedule 10.6 re-evaluation aquatic site reconnections			a		a	a		
107	10.7	Article 407 Appendix A	Culvert replacements plan	Terrestrial	Plan	Agencies	L	2003	2003		P				a					
108	10.7	Article 407 Appendix A	Culvert replacements at Priority 1 and Priority 2 aquatic connectivity sites	Terrestrial	Construction	Agencies	L	2003	2016		P				a					
109	11.1	Article 401	Widen existing big game bridges (29 bridges)	Terrestrial	Construction	WBW TWG	L	2002	2004	2004	P				a					
110	11.2	--	Install 34 new wildlife crossings	Terrestrial	Construction	WBW TWG	L	2004	2009		P				a		a			
111	11.3 (part 1)	Article 401, 402	Wildlife crossing monitoring plan--development	Terrestrial	Monitoring	WBW TWG	L	2006	2006	2006	P	Wildlife crossing monitoring plan (monitor for approx. 5 years) (SA due date is 2007)			a		a			
112	11.3 (part 2)	Article 401, 402	Wildlife crossing monitoring plan--complete monitoring	Terrestrial	Monitoring	WBW TWG	L	2007	2012		P				a		a			
113	11.4	Article 401, 402	Wildlife underpasses (9 sites)	Terrestrial	Construction	WBW TWG	L	2005	2006	2005	N	Wildlife underpasses along penstocks and elevated pipe flowlines			a		a			
114	11.5	Article 401, 402, 407	Wetland creation/enhancement--Fallen Mountain Creek-Lemolo No. 2	Terrestrial	Construction	WBW TWG	M	2005	2009		N	Wetland creation/enhancement			a		a			
115	11.5	Article 401, 402, 407	Wetland creation/enhancement--Lemolo 1 Forebay expansion	Terrestrial	Construction	WBW TWG	H	2005	2010		N	Wetland creation/enhancement			a		a	r		
116	11.5	Article 401, 402, 407	Wetland creation/enhancement--Stump Lake	Terrestrial	Construction	WBW TWG	M	2005	2006		N	Wetland creation/enhancement			a		a			
117	11.5	Article 401, 402, 407	Wetland creation/enhancement--Lemolo Lake Wetland	Terrestrial	Construction	WBW TWG	M	2005	2007		N	Wetland creation/enhancement			a		a			
118	11.5	Article 401, 402, 407	Wetland creation/enhancement--Wetland Area #1	Terrestrial	Construction	WBW TWG	M	2010	2016		N	Wetland creation/enhancement			a		a			
119	11.5	Article 401, 402, 407	Wetland creation/enhancement--Wetland Area #2	Terrestrial	Construction	WBW TWG	M	2010	2016		N	Wetland creation/enhancement			a		a			
120	11.5	Article 401, 402, 407	Wetland creation/enhancement--Wetland Area #3	Terrestrial	Construction	WBW TWG	M	2010	2016		N	Wetland creation/enhancement			a		a			
121	11.5	Article 401, 402, 407	Wetland creation/enhancement--Stinkhole	Terrestrial	Construction	WBW TWG	H	2005	2011		N	Wetland creation/enhancement			a		a	r		
122	12.1	Article 401, 406	Vegetation Management Plan development	Terrestrial	Maintenance	Agencies	L	2003	2004	2004	A	Vegetation Management Plan			a	a				
123	12.1	Article 401, 406	Vegetation Management Plan implementation	Terrestrial	Construction	Agencies	L	2003	2039		A	Vegetation Management Plan			a	a				
124	12.1	Article 401, 406	Vegetation Management Plan - monitoring program	Terrestrial	Monitoring	Agencies	L	2003	2039		A	Vegetation Management Plan			a	a				
125	12.2		Noxious weed control	Terrestrial	Maintenance	Agencies	L	2001	2039		A	Measures to control noxious weeds, Vegetation Management Plan	c		c	a				c
126	13.1	Article 412	Power pole modification for poles involved in bird fatality	Terrestrial	Maintenance	WBW TWG	L	2003	2039		P	"Suggested Practices for Raptor Safety on Power Lines: The State of the Art in 1996"		c	r	r				

Exhibit E - Resource Coordination Summary Matrix

Row No.	Settlement Agreement Section	Lic. Order Ref #	Specific Action / PM&E Title	Resource Area	Implementation Type	RCC Assignments ¹	Complexity Rating ²	Estimated Project Start Date (Year)	Target Due Date (Inc. FERC Extensions)	Actual Completion Date (Year) ⁴	Ongoing Consultation Frequency (N, A, P) ⁶	Program/Plan or Related References/Notes (Deviations from SA Noted)	SA Consulting/Approving Agencies ³							
													NMFS	USDI-FWS	USDA-FS	USDI-BLM	ODFW	ODEQ	OWRD	RCC
127	13.2	--	Avian scheduling activities	Terrestrial	Maintenance	WBW TWG	L	2003	2039		P	No activities within 400-m buffer around active raptor nests during breeding season			c					
128	13.4	--	Avian Agreement records and database management	Terrestrial	Monitoring	WBW TWG	L	2003	2039		A	Avian agreement records and database management		c		c	c			
129	14.1	Article 401, Appendix A	Finalize Erosion Control Plan (ECP)	Other Land-based Management	Maintenance	CSD TWG	L	2001	2001	2001	A	Erosion Control Plan								c
130	14.2	Appendix A	Develop shutoff and drainage system and O&M Plan	Other Land-based Management	Maintenance	CSD TWG	L	2001	2003		N	Fish Cr. by L1 Lemolo No. 2 and Clearwater by L3			a		a	a		
131	14.2 (part 1)	Appendix A	Construct Fish Creek canal shutoff and drainage system (erosion control)	Other Land-based Management	Construction	CSD TWG	H	2005	2007		N	Fish Cr. shutoff and drainage			a		c	c		
132	14.2 (part 2)	Appendix A	Construct Lemolo No. 2 canal shutoff and drainage system (erosion control)	Other Land-based Management	Construction	CSD TWG	M	2007	2009		N	Lemolo No. 2 shutoff and drainage			a		c	c		
133	14.2 (part 3)	Appendix A	Clearwater No. 2 canal shutoff and drainage system (erosion control)	Other Land-based Management	Construction	CSD TWG	M	2006	2008		N	Clearwater No. 2 shutoff and drainage			a		c	c		
134	14.3.1, 14.3.2, & 14.3.3	--	Notification requirements for emergency spill or failure	Other Land-based Management	Monitoring	Agencies	L	2001	2039		P	Erosion Control Plan			c		c	c		
135	14.4.1	Appendix A	Erosion site remediation site plans	Other Land-based Management	Construction	Agencies	M	2003	2009		P	Plans for 31 sites completed 2 years prior to implementation			a		c			
136	14.4.2 (part 1)	Appendix A	Fish Creek erosion remediation	Other Land-based Management	Construction	Agencies	L	2003	2006		P	Erosion Control Plan			a					
137	14.4.2 (part 2)	Appendix A	Other high-priority site erosion remediation	Other Land-based Management	Construction	Agencies	L	2005	2010	2005	P	Erosion Control Plan			a					
138	14.4.3 (part 1)	Appendix A	Erosion remediation--medium-priority sites (10 sites)	Other Land-based Management	Construction	Agencies	L	2008	2010		P	Erosion Control Plan			a		c	c		
139	14.4.3 (part 2)	Appendix A	Erosion remediation medium-priority site implementation (10 sites)	Other Land-based Management	Construction	Agencies	L	2012	2016		P	Erosion Control Plan; sites FC1, FC7, FC9, Clearwater No. 2-10, Clearwater No. 2-3, Clearwater No. 2-1, 43, Lemolo No. 2-30, Lemolo No. 2-25, Lemolo No. 2-13			a		c	c		
140	14.4.3 (part 3)	Appendix A	Erosion site remediation at medium-priority sites with economic advantage (7 sites)	Other Land-based Management	Construction	Agencies	L	2002	2010	2005	P				a		c	c		
141	14.4	Appendix A	Erosion site remediation standards	Other Land-based Management	Construction	Agencies	L	2001	2039		P	Erosion Control Plan			a		c			
142	14.5	Article 408, Appendix A	ECP program monitoring	Other Land-based Management	Monitoring	Agencies	L	2003	2039		A	Existing and new erosion sites. If new site is high or medium priority, PacifiCorp will develop site plan. RCC schedules remediation of new sites.			a					
143	14.7	--	Performance bond	Other Land-based Management	Fund Payment	Agencies	L	2003	2003		N	If site-specific performance criteria are not met, a bond will be provided.			c		c	c		
144	15.1 (part 1)	Article 401	Transportation Management Plan finalization	Other Land-based Management	Monitoring	Agencies	L	2003	2004	2004	N	Transportation Management Plan			a	a				

Exhibit E - Resource Coordination Summary Matrix

Row No.	Settlement Agreement Section	Lic. Order Ref #	Specific Action / PM&E Title	Resource Area	Implementation Type	RCC Assignments ¹	Complexity Rating ²	Estimated Project Start Date (Year)	Target Due Date (Inc. FERC Extensions)	Actual Completion Date (Year) ⁴	Ongoing Consultation Frequency (N, A, P) ⁶	Program/Plan or Related References/Notes (Deviations from SA Noted)	SA Consulting/Approving Agencies ³							
													NMFS	USDI-FWS	USDA-FS	USDI-BLM	ODFW	ODEQ	OWRD	RCC
145	15.1 (part 2)	Article 401	Transportation Management Plan program monitoring	Other Land-based Management	Monitoring	Agencies	L	2003	2039		A	Transportation Management Plan			a	a				
146	15.2 (part 1)	--	Maintenance and capital improvements on PacifiCorp Hydro roads using USDA-FS standards	Other Land-based Management	Construction	Agencies	L	2003	2039		A	Transportation Management Plan			c					
147	15.2 (part 2)	--	Maintenance and capital improvements on PC trans. line roads using FS and BLM standards	Other Land-based Management	Construction	Agencies	L	2003	2039		A	Transportation Management Plan			c	c				
148	15.3	--	Cost sharing for Joint Use Hydro maintenance roads	Other Land-based Management	Maintenance	Agencies	L	2005	2039		A	Transportation Management Plan, cost sharing			a					
149	15.3	--	Transportation Management Plan cost sharing	Other Land-based Management	Maintenance	Agencies	L	2003	2039		A	Transportation Management Plan			c					
150	15.4	Appendix A	Complete road decommissioning	Other Land-based Management	Construction	Agencies	L	2005	2009		P	Transportation Management Plan			a	a				
151	15.5	Appendix A	Bridges-improvements and maintenance	Other Land-based Management	Maintenance	Agencies	L	2003	2039		A	Transportation Management Plan; process for inspecting bridges			c					
152	15.5.1	--	Bridge cost sharing for inspections (every 2 years) and maintenance on Joint Use Hydro maintenance roads	Other Land-based Management	Maintenance	Agencies	L	2003	2039		A	Transportation Management Plan			c					
153	15.5.1	--	Non-critical bridge maintenance (every 2 years)	Other Land-based Management	Maintenance	Agencies	L	2003	2015		A	Transportation Management Plan			c					
154	15.5.1	--	Cost sharing for bridge maintenance	Other Land-based Management	Fund Payment	Agencies	L	2003	2039		A	Transportation Management Plan			c					
155	15.6 (part 1)	Appendix A	Culvert inventory	Other Land-based Management	Monitoring	Agencies	M	2003	2003	2004	N	Transportation Management Plan; culvert Inventory done			c		c			
156	15.6 (part 2)	--	Culvert maintenance for fish passage (20% per yr.)	Other Land-based Management	Maintenance	Agencies	L	2005	2010		A	Transportation Management Plan			c		c			
157	15.6 (part 3)	Appendix A	Q100 culvert upgrades (148 sites [7.5%/yr])	Other Land-based Management	Maintenance	Agencies	L	2003	2018		A	Transportation Management Plan; cost share on joint-use roads			c	c	c			
158	16.1	--	Aesthetics Management Plan development	Other Land-based Management	Operations	Agencies	L	2001	2002	2002	P	Transportation Management Plan			c	c				
159	16.2	Article 415	Landscaping plan for Clearwater switching station and Clearwater maintenance area	Other Land-based Management	Maintenance	Agencies	L	2005	2006		P	Landscape plan			c					
160	16.3 (part 1)	--	Penstock and surge tank study of visual simulation	Other Land-based Management	Maintenance	Agencies	L	2003	2006		N	Lemolo No. 2, Toketee, and Clearwater No. 2			c					
161	16.3 (part 2)	--	Penstock painting	Other Land-based Management	Maintenance	Agencies	L	2006	2030		P	Evaluate condition no later than L25			c					
162	16.4 (part 1)	--	Aesthetics Management Plan--evaluate 13 sites on T-line	Other Land-based Management	Monitoring	Agencies	L	2005	2005	2005	P	Aesthetics Management Plan								
163	16.4 (part 2)	--	Aesthetics Management Plan T-line implementation	Other Land-based Management	Monitoring	Agencies	L	2005	2015		P	Coordinate with Vegetation Management Plan								

Exhibit E - Resource Coordination Summary Matrix

Row No.	Settlement Agreement Section	Lic. Order Ref #	Specific Action / PM&E Title	Resource Area	Implementation Type	RCC Assignments ¹	Complexity Rating ²	Estimated Project Start Date (Year)	Target Due Date (Inc. FERC Extensions)	Actual Completion Date (Year) ⁴	Ongoing Consultation Frequency (N, A, P) ⁶	Program/Plan or Related References/Notes (Deviations from SA Noted)	SA Consulting/Approving Agencies ³							
													NMFS	USDI-FWS	USDA-FS	USDI-BLM	ODFW	ODEQ	OWRD	RCC
164	17.1 (part 1)	--	Recreation Resource Management Plan (RRMP) developed	Other Land-based Management	Operations	Agencies	L	2002	2002	2002	A	Recreation Resources Management Plan			a		c			
165	17.1 (part 2)	--	RRMP program monitoring and funding	Other Land-based Management	Monitoring	Agencies	L	2004	2039		A	Recreation Resources Management Plan			a					
166	17.2	--	Recreation management estimated O&M payments to USDA-FS	Other Land-based Management	Fund Payment	Agencies	L	2004	2039		A	USDA-FS has responsibility for O&M			c					
167	17.3	--	Rec. facilities meaningful measure standards (or equivalent)	Other Land-based Management	Maintenance	Agencies	L	2005	2039		A	USDA-FS Meaningful Measures standards			c					
168	17.4	--	Use of fees collected at recreation sites	Other Land-based Management	Maintenance	Agencies	L	2001	2039		A	Fees are used at the facilities			c					
169	17.5	--	Dispersed recreation sites	Other Land-based Management	Fund Payment	Agencies	L	2001	2039		A	Areas next to impoundments will be included in PacifiCorp funded sites			c					
170	17.6	--	Public access	Other Land-based Management	Maintenance	Agencies	L	2001	2039		A	PacifiCorp shall allow recreational access consistent with Transportation Management Plan, FERC, and safety			c		c			
171	17.7	--	Law enforcement	Other Land-based Management	Fund Payment	Agencies	L	2004	2004		A	Recreation Resources Management Plan			c					
172	17.8 (part 1)	--	Rec-capital improvements at all facilities	Other Land-based Management	Construction	Agencies	L	2004	2030		A	Recreation Resources Management Plan			c					
173	17.8 (part 2)	--	Rec deferred backlog improvement \$\$ to USDA-FS	Other Land-based Management	Fund Payment	Agencies	L	2002	2007		A	Recreation Resources Management Plan			c					
174	17.9	--	Public information funds to USDA-FS	Other Land-based Management	Fund Payment	Agencies	L	2004	2039		P	Recreation Resources Management Plan			c					
175	17.10	--	Annual recreation monitoring fee	Other Land-based Management	Fund Payment	Agencies	L	2004	2039		A	Recreation Resources Management Plan								
176	17.11	--	Rec Northwest Forest Plan compliance \$\$ to USDA-FS	Other Land-based Management	Fund Payment	Agencies	L	2004	2007		A	Recreation Resources Management Plan			c					
177	17.12	--	Lemolo Lake reservoir fluctuations	Aquatics	Operations	F&R TWG	L	2003	2039		A	Maintain Lemolo Lake at or near full pool Memorial Day - Labor Day								
178	18.1 (part 1)	Article 414	Historic Properties Management Plan development	Other Land-based Management	Monitoring	Agencies	L	2001	2003		A	Historic Properties Management Plan, Environmental Management System			c	c				
179	18.1 (part 2)	Article 414	Historic Properties Management Plan implementation	Other Land-based Management	Monitoring	Agencies	L	2003	2039		A	Historic Properties Management Plan, Environmental Management System			c	c				
180	18.2	--	Programmatic Agreement	Other Land-based Management	Operations	Agencies	L	2003	2039		A				c	c				
181	18.3, 18.4, & 18.5	--	Heritage requirements--site discovery, protection/restoration/recovery/ public outreach	Other Land-based Management	Maintenance	Agencies	L	2003	2039		A	USDA-FS Umpqua National Forest Heritage Inventory Strategy			c	c				
182	18. 4	--	Cultural resources protection, restoration, and recovery site-specific plans	Other Land-based Management	Maintenance	Agencies	L	2005	2039		A	Historic Properties Management Plan			c	c				

Exhibit E - Resource Coordination Summary Matrix

Row No.	Settlement Agreement Section	Lic. Order Ref #	Specific Action / PM&E Title	Resource Area	Implementation Type	RCC Assignments ¹	Complexity Rating ²	Estimated Project Start Date (Year)	Target Due Date (Inc. FERC Extensions)	Actual Completion Date (Year) ⁴	Ongoing Consultation Frequency (N, A, P) ⁶	Program/Plan or Related References/Notes (Deviations from SA Noted)	SA Consulting/Approving Agencies ³							
													NMFS	USDI-FWS	USDA-FS	USDI-BLM	ODFW	ODEQ	OWRD	RCC
183	18.5	--	Public outreach program	Other Land-based Management	Operations	RCC Plenary	L	2003	2039		P	Historic Properties Management Plan								
184	18.6	Article 414	HPMP program monitoring	Other Land-based Management	Monitoring	Agencies	L	2001	2039		A	Historic Properties Management Plan			c	c				
185	18.7	--	Heritage timing requirements	Other Land-based Management	Construction	Agencies	L	2001	2039		A	Per Historic Properties Management Plan			c	c				
186	19.1		Tributary enhancement program	Aquatics	Fund Payment	Agencies	L	2004	2039		A						a			
187	19.1.1		Tributary enhancement account funding	Aquatics	Fund Payment	Agencies	L	2004	2039		A	Per ODFW Memorandum of Understanding					a			
188	19.1.2		Implementation of tributary enhancement projects	Aquatics	Construction	Agencies	M	2004	2039		A	Per ODFW Memorandum of Understanding	c	c	c	c	a			
189	19.1.1.3		Tributary enhancement account reporting	Aquatics	Monitoring	Agencies	M	2004	2039		A	Per ODFW Memorandum of Understanding					a			
190	19.2	--	Predator study / control program and long term fish monitoring	Aquatics	Fund Payment/ Plan/Monitoring	RCC Plenary/ FHS TWG	L	2004	2039		A	Fund administered by RCC via FHS TWG and plan referenced below. Plan is working document to guide annual and long-term monitoring. Annual and long-term monitoring as guided by the plan, TWG, and RCC.	a	a	a	a	a	a	a	a
191	19.3	--	Federal mitigation fund for aquatic, terrestrial, and other natural resources impacts	All Resources	Fund Payment	Agencies	M	2004	2039		A	Funds for enhancement of vegetation, wetlands, aquatic connectivity, soil, stillwater amphibians			c					
192	19.4.1	--	Monitoring and oversight costs	All Resources	Monitoring	Agencies	L	2005	2020		A	Fund 2 FTE ODFW employees--North Umpqua tributary habitat enhancement					c			
193	19.4.2	--	Funding of ODFW oversight	All Resources	Fund Payment	Agencies	L	2006	2039		A	Funding					c			
194	19.5	--	Early implementation fund	All Resources	Fund Payment	RCC Plenary	L	2002	2005	2005	A									c
195	19.5.2	--	Early implementation fund annual reporting.	All Resources	Fund Payment	RCC Plenary	L	2002	2006		N	Early implementation program funding								c
196	19.5.3	--	Early implementation fund administration	All Resources	Fund Payment	RCC Plenary	L	2002	2006	2006	N	Early implementation program funding								
197	19.5.4	--	Early implementation timing and schedule of payments	All Resources	Fund Payment	RCC Plenary	L	2002	2005	2005	N	Early implementation program funding								
198	19.5, 21.1	--	Resource Coordination Plan updates and RCC program management	All Resources	Monitoring	RCP TWG	L	2002	2039		A									c
199	20.1	--	Consideration of alternative measures for Soda Springs	All Resources	Construction	RCC Plenary	L	2001	2001	2001	N									c
200	20.2	--	Soda Springs removal and modification feasibility report	All Resources	Construction	RCC Plenary	L	2001	2001	2001	N	Feasibility report for removing Soda Springs dam or enlarging spillway								c
201	20.3	--	Recommending alternative Soda Springs measures	All Resources	Construction	RCC Plenary	L	2001	2001	2001	N	Recommend whether SA should be modified for Soda Springs Dam alternatives								
202	21.1, 21.2, 21.3, & 21.4	--	Coordination and decision making, environmental coordinator, meetings, reports	All Resources	Monitoring	RCC Plenary	L	2001	2039		A	RCP finalization, RCC authority, decision-making process, dispute resolution, meeting notice								
203	21.5	--	Site-specific plans and construction	All Resources	Construction	Agencies	L	2001	2039		P		c	c	a		c	c		
204	21.6	Appendix D	Inspection, consultation, and notice	All Resources	Construction	Agencies	L	2001	2039		P	Notify agencies at least 90 days prior to construction	c	c	a		c	c		
205	21.7	--	Environmental documentation on USDA-FS lands	All Resources	Construction	Agencies	L	2001	2039		P	Per agreement between USDA-FS and PacifiCorp	c	c	c	c	c	c	c	
206	N/A	Appendix A	Aesthetics conditions, turbidity	All Resources	Operations	Agencies	L	2003			P							c		
207	N/A	--	Wetland monitoring permit conditions	Terrestrial	Monitoring	Agencies	L	2006	2039		P	Conditions of federal permits	c	c	c	c	c	c	c	

Exhibit E - Resource Coordination Summary Matrix

Row No.	Settlement Agreement Section	Lic. Order Ref #	Specific Action / PM&E Title	Resource Area	Implementation Type	RCC Assignments ¹	Complexity Rating ²	Estimated Project Start Date (Year)	Target Due Date (Inc. FERC Extensions)	Actual Completion Date (Year) ⁴	Ongoing Consultation Frequency (N, A, P) ⁶	Program/Plan or Related References/Notes (Deviations from SA Noted)	SA Consulting/Approving Agencies ³							
													NMFS	USDI-FWS	USDA-FS	USDI-BLM	ODFW	ODEQ	OWRD	RCC
208	N/A	--	Ongoing Project O&M and related construction activities to be inserted here when they are scheduled and if the RCC is involved.	All Resources	Varies	Agencies	NA				As Needed	PacifiCorp to coordinate with USDA-FS and USDI-BLM as appropriate, such as periodic T-line pole replacements and testing								
209	N/A	Appendix B USDA-FS 4(e)-05	Requirement to Obtain a Forest Service Land Use Authorization	All Resources	Procedural	Agencies	NA	2003	2039		N	Addresses need for additional USDA-FS System lands for Project operations			a					
210	N/A	Appendix B USDA-FS 4(e)-06	Activities on National Forest System lands	All Resources	Procedural	Agencies	NA	2003	2039		N	States that PacifiCorp will conduct NEPA for ground- or habitat-disturbing activities			a					
211	N/A	Appendix B USDA-FS 4(e)-07	Approval of Change after License Issuance	All Resources	Procedural	Agencies	NA	2003	2039		P	Requires USDA-FS approval if the location of Project facilities are to be changed			a					
212	N/A	Appendix B USDA-FS 4(e)-08	Coordination with Other Authorized Activities	All Resources	Procedural	Agencies	NA	2003	2039		P	Requires coordination between Project activities and potentially conflicting but authorized activities on National Forest lands.			a					
213	N/A	Appendix B USDA-FS 4(e)-09	Borrow and Quarry Pits	Other Land-based Management	Operations	Agencies	L	2003	2039		P	USDA-FS must approve excavation on Forest Service lands			a					
214	N/A	Appendix B USDA-FS 4(e)-10	Seismic and Geologic Hazard Evaluation and Dam Safety	Other Land-based Management		Agencies	L	2003	2039		P	PacifiCorp shall conduct the term and condition in conjunction with FERC part 12 inspections			a					
215	N/A	Appendix B USDA-FS 4(e)-11	Spoils Disposal	Other Land-based Management		Agencies	L	2003	2039		P	Specifies that a plan be prepared and implemented directing spoils disposal arising from PacifiCorp operations			a					
216	N/A	Appendix B USDA-FS 4(e)-12	Fire Suppression Plan	Terrestrial	Plan & Maintenance	Agencies	L	2003	2039		A	Directs PacifiCorp to prepare and implement a Fire Suppression Plan			a					
217	N/A	Appendix B USDA-FS 4(e)-13	Solid Waste and Waste Water Plan	Other Land-based Management		Agencies	L	2003	2039		P	Directs PacifiCorp to prepare and implement a Sold Waste and Waste Water Treatment Plan			a					
218	N/A	Appendix B USDA-FS 4(e)-14	Spill Prevention and Control, and Hazardous Materials Management	Other Land-based Management		Agencies	L	2003	2039		P	Directs PacifiCorp to prepare and implement a Spill Prevention and Control, and Hazardous Materials Management Plan			a					
219	N/A	Appendix B USDA-FS 4(e)-15	USDA Forest Service Sensitive Species	Terrestrial	Plan & Monitoring	Agencies	L	2003	2039		P	Directs PacifiCorp to prepare and implement a Sensitive Species Plan			a					
220	N/A	Appendix B USDA-FS 4(e)-16	Proposed, Threatened and Endangered Species	Terrestrial	Monitoring	Agencies	L	2003	2039		P	Directs PacifiCorp to confer with the USDA-FS if ESA consultation is reinitiated			a					
221	N/A	Appendix B USDA-FS 4(e)-17	Survey and Manage Species	Terrestrial	Plan & Monitoring	Agencies	L	2003	2039		P	Directs PacifiCorp to prepare and implement a Survey and Manage Species Plan			a					
222	N/A	Appendix B USDA-FS 4(e)-18	Reservoir Dredging	Other Land-based Management	Operations	Agencies	L	2003	2039		P	Reservoir dredging must receive USDA-FS approval and coordination with other agencies as needed			a					
223	N/A	Appendix C USDI-BLM 4(e)-04	Implementation and Modification of BLM Conditions	All Resources	Procedural	Agencies	NA	2003	2039		N	Specifies situations when USDI-BLM may modify terms and conditions				a				
224	N/A	Appendix C USDI-BLM 4(e)-05	Requirement to Obtain BLM Grant of Rights-of-Way	Other Land-based Management		Agencies	L	2003	2039		P	PacifiCorp must obtain USDI-BLM ROW for activities outside the Project Boundary				a				
225	N/A	Appendix C USDI-BLM 4(e)-06	Activities on BLM lands	All Resources	Procedural	Agencies	NA	2003	2039		P	States that PacifiCorp will conduct NEPA for ground- or habitat-disturbing activities				a				

Exhibit E - Resource Coordination Summary Matrix

Row No.	Settlement Agreement Section	Lic. Order Ref #	Specific Action / PM&E Title	Resource Area	Implementation Type	RCC Assignments ¹	Complexity Rating ²	Estimated Project Start Date (Year)	Target Due Date (Inc. FERC Extensions)	Actual Completion Date (Year) ⁴	Ongoing Consultation Frequency (N, A, P) ⁶	Program/Plan or Related References/Notes (Deviations from SA Noted)	SA Consulting/Approving Agencies ³							
													NMFS	USDI-FWS	USDA-FS	USDI-BLM	ODFW	ODEQ	OWRD	RCC
226	N/A	Appendix C USDI-BLM 4(e)-08	Coordination with Other Authorized Activities	All Resources	Procedural	Agencies	NA	2003	2039		P	Requires coordination between Project activities and potentially conflicting but authorized activities on USDI-BLM lands.				a				
227	N/A	Appendix C USDI-BLM 4(e)-09	Special Status Species	Terrestrial	Monitoring	Agencies	L	2003	2039		P	Directs PacifiCorp to include management procedures for Sensitive Species				a				
228	N/A	Appendix C USDI-BLM 4(e)-10	Survey and Manage Species	Terrestrial	Monitoring	Agencies	L	2003	2039		P	Directs PacifiCorp to include management procedures for Survey and Manage Species				a				
229	N/A	Appendix D USDI (S18)-01	General Prescriptions for Fishways	Aquatics	Operations/ Maintenance	Agencies	H	2003	2039		N	Specifies general prescriptions for fishway construction, operation, and maintenance		a						
230	N/A	Appendix D USDI (S18)-02	Prescriptions for Upstream Fishways	Aquatics	Operations/ Maintenance	Agencies	H	2003	2039		P	Specifies where PacifiCorp will provide tailrace barriers and upstream fish passage		a						
231	N/A	Appendix D USDI (S18)-03	Prescriptions for Downstream Fishways	Aquatics	Operations/ Maintenance	Agencies	H	2003	2039		P	Specifies where PacifiCorp will provide downstream fish passage		a						

1 - **TWG** = Technical Working Group; **FPD TWG** = Fish Passage Design TWG; **FHS TWG** = Fish Habitat & Studies TWG; **F & R TWG** = Flows and Ramping TWG; **RCP TWG** = Resource Coordination Plan Technical Working Group.
Agencies = One or more specific agencies responsible outside of RCC or TWG; **L2R** = Lemolo No. 2 Re-Route (Stinkhole) TWG; **CSD TWG** = canal shutoff & drainage TWG; **TER TWG** = Terrestiral TWG.
2 - Complexity Rating: **H** = High--4 to 5 years lead time may be needed; includes complex construction (fish ladders, Stinkhole, Lemolo 1 Forebay, tailrace barriers, Soda, and Slide Creek); **M**=Medium--3 to 4 years lead time may be needed, moderately complex design, long consultation process
L = Low--15 to 24 month lead time may be needed, less complex items that require more typical consultation
3 - **NMFS** = NOAA, National Marine Fisheries Service, **USDI-FWS** = U.S. Fish and Wildlife Service, **USDA-FS** = USDA Forest Service, **ODFW** = Oregon Department of Fish and Wildlife
ODEQ = Oregon Department of Environmental Quality, **OWRD** = Oregon Water Resources Department, **RCC** = Resource Coordination Committee; **a**=approval, **c**=consultation, **r**=recommended
4 - Actual month of completion will vary; see SA.
5 - Other actions to coordinate with the USDA-FS only - Sensitive Species Plan, Survey and Manage Species Plan, and tools and information updates to exchange GIS data.
6 - N = As Needed; A = Annual; P = Periodic.

EXHIBIT F

Coordination Calendar

Exhibit F Coordination Calendar

Actions	Year End Activity: Coordination for Upcoming PM&E Implementation			Year-Long Activity: PM&E Planning, Design, and Construction Implementation												Early Year Activity: PM&E Funding and Construction Initiation			
	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr
<i>RCC Plenary Meetings - General Topics Throughout the Year</i>																			
Hold RCC Annual Meeting: Define RCC TWG assignments; define PM&Es to be implemented over the next 1-3 years; and celebrate completed PM&Es				☉												☉			
Review ongoing PM&E implementation and monitoring						☉												☉	
Review Annual Report prepared by PacifiCorp Energy, and review ongoing PM&E implementation and monitoring								☉											
Review ongoing PM&E implementation and monitoring, conduct field visits, review TWG reports, and address construction issues											☉								
Review the status of all PM&Es prior to the Annual Meeting in January and provide annual feedback to PacifiCorp Energy		☉												☉					
<i>PM&E Implementation Approvals Needed for Next Calendar Year PacifiCorp Energy Funding</i>																			
Conduct annual planning for both ongoing and upcoming PM&Es for the next PacifiCorp Energy FY (and beyond if needed per Complexity Rating in Exhibit E)																			
Review and list all PM&Es to be implemented and funded during the next calendar year (= PacifiCorp Energy FY) January 15 each year				☉															
Complete all PM&E site planning and design approvals for new PM&Es to be funded during the next CY (= PacifiCorp Energy FY)																			
Commit to all new PM&Es to be funding during the next CY (= PacifiCorp Energy FY) April 1 each year							☉												
Begin funding and implementation of new approved PM&Es January 1 each year																☉			
<i>Resource-Specific Management Plans and PM&E-Specific Plans</i>																			
Prepare Rolling Action Plans for 6 approved plans (RRMP, TMP, VMP, AMP, HPMP, and ECP)																			
Rolling Action Plan reports provided to RCC Plenary January 15 every year				☉															
RCC Plenary comments on Rolling Action Plans (if necessary) February 15 every year					☉														
Annually review and report on the status of all active Resource-Specific Management Plans and PM&E-Specific Plans				☉															

EXHIBIT G

Work Plan

Work Plan

North Umpqua Hydroelectric Project

Assignments:

Status

Date

☐ TWG

☐ Draft

☐ Subcommittee

☐ Final

☐ RCC Plenary

☐ Revised

Work Plan #

Project Name

SA #

License Order #

Target Start Date

Target End Date

Project
Description

SA/License Order Language:

PacifiCorp Energy Lead

Agency Lead(s)

Personnel/Agencies Involved

Personnel/Agency

Approval

Consultation

Informational
Only

☐☐☐

Personnel/Agency

☐☐☐

Personnel/Agency

☐☐☐

Personnel/Agency

☐☐☐

Support Needed

Physical Resources

Consultants/Specialists

Other

Agency Review and Approvals
Required: (who/what)

Necessary Permits/Other
Agency Approvals Required:

Project Intent/Goals (list):

Project/Design Criteria to
be used, if Applicable:

Work Plan

North Umpqua Hydroelectric Project

Funding Source(s), if Applicable

Date

Amounts:

Relevant

Clarification notes of the SA or Licence Order, if any

Project Schedule*:

	Phases/Products	Start Date(s)	Completion Date(s)
Phase III Work Plan	<input type="text"/>	<input type="text"/>	<input type="text"/>
Phase IV Site Plan & Design Approval	<input type="text"/>	<input type="text"/>	<input type="text"/>
Phase V Construction	<input type="text"/>	<input type="text"/>	<input type="text"/>
Phase VI Post-Construction	<input type="text"/>	<input type="text"/>	<input type="text"/>

Attachments:**
(additional detail as needed)

*Attach detailed schedule (e.g., MS Project/MS Excel) for complex construction projects,

** meeting notes, detailed schedule, concept plans, etc.

Reset Form

Submit by Email

Print Form

EXHIBIT H

Project Notification Form

Project Notification & Technical Review

North Umpqua Hydroelectric Project

Print Form

Submit by Email

Reset Form

PROJECT INFORMATION

Date Proj. Notif. #:

Project Name

Project Location T: R: S:

Proj. Start Date Proj. EndDate

SA #

License Order #

Work Plan #.:

(Information above this line is reproduced on the Cultural Resources Form)

Project Description

SA/License Order Language:

Project Contacts

Project Manager Phone #

Engineer Phone #

Cultural Phone #

Environmental Phone #

Select Facility

(choose 1 or type new)

Additional Information Attached

Other:

☐ Site Design Plan

☐ Technical Specs

Resource-Specific Management Plan Coordination

Project meets the terms of (choose 1 or more)

☐ Relevant Attachments, if any

RESOURCE PROTECTION

☐ Project is within protected species nesting zone

☐ Project complies with USFWS and NOAA Biological Opinion (2002)

T & E Species within 0.25 mile: ☐ Bald Eagle ☐ Peregrine ☐ Spotted Owl

☐ Cultural Res. Review Form Included

☐ USACOE/ODSL Permit Required

☐ S/M & Sens. Spp. Survey Required

AGENCY REVIEW FINDINGS

Est. Date to Complete Review

☐ **REVIEW COMPLETED**

Reviewer

Agency

Review Outcome

- ☐ Proceed
☐ Monitor Post Activities
☐ Consultation Required
☐ Coordination Meeting

Additional Comments


- 1)
2)
3)

Agency Contacts

Name/Agency Phone #

Name/Agency Phone #

MAP/IMAGE

	Image Caption	<input type="text"/>

PacifiCorp Energy Use Only

Routing

File #

Date Review Completed

<input type="text"/>
<input type="text"/>
<input type="text"/>

Cultural Resources Review Form (Project Notification Form Link)

North Umpqua Hydroelectric Project

[Print Form](#)[Submit by Email](#)[Reset Form](#)

PROJECT INFORMATION

Date Cult. Res. Review Form # Project Name

Project Description

SA/License Order Language: Project Location T: R: S: Proj. Start Date Proj. End Date SA # License Order # Work Plan #

Project Contacts

Project Manager Phone # Engineer Phone # Cultural Phone # Environmental Phone #

(Information above this line is entered on the Project Notification Form)

PROJECT CLASSIFICATION AND REVIEW

Activity Type (select 1)

Reporting Requirements

- ☐ Annual Report - FS, BLM, SHPO
☐ Monitoring Report (Due 30 days after project close)
☐ Survey Report - FS, BLM, SHPO

Archaeology

☐ Within known siteSite Description

Sites with 0.25 mile

Site 1 Dist. Site 2 Dist. Site 3 Dist. Previous
Archaeological
Investigations

FOR AGENCY USE ONLY

Level of Review

- ☐ Notification (L1)
☐ Coordination (L2)
☐ Consultation (L3)

Review Outcome

- ☐ Proceed
☐ Monitor Post Activities
☐ Consultation Required
☐ PC/FS Coordination Meeting

Estimated Date to Complete Review

☐ REVIEW COMPLETED

Reviewer Agency

Additional Comments

1) 2) 3) 4)

North Umpqua Hydroelectric Project

Print Form

Submit by Email

Reset Form

MAP/IMAGE

Image Field

Image Caption	
------------------	--

PacifiCorp Energy Use Only

File #		
Date Review Completed		

EXHIBIT I

NEPA MOU and Letters Exchanged

MEMORANDUM OF UNDERSTANDING
BETWEEN THE
UNITED STATES DEPARTMENT OF AGRICULTURE
UNITED STATES FOREST SERVICE
AND
PACIFICORP
REGARDING THE
IMPLEMENTATION OF THE NORTH UMPQUA SETTLEMENT AGREEMENT

June 23, 2004

Purpose


- A. The U.S. Department of Agriculture-Forest Service ("USDA-FS") and PacifiCorp are parties to the North Umpqua Settlement Agreement dated June 13, 2001 (the "Settlement Agreement"). On November 18, 2003, PacifiCorp received from the Federal Energy Regulatory Commission ("the Commission") a new license to operate the North Umpqua Hydroelectric Project ("the New License"). The New License incorporates the terms of the Settlement Agreement as license terms, conditions, and requirements.
- B. The Settlement Agreement and the New License require PacifiCorp to implement measures for the protection, mitigation and enhancement of the environment ("PM&E Measures") during the term of the New License. Under Section 21.5 of the Settlement Agreement, PacifiCorp is required to prepare site-specific plans for the implementation of PM&E Measures. Under Sections 21.5 and 21.7 of the Settlement Agreement, the USDA-FS is to evaluate whether existing National Environmental Policy Act ("NEPA;" 42 U.S.C. §§ 4321 *et seq.*) analyses for the PM&E Measures are adequate and if not, to direct PacifiCorp to complete additional NEPA analyses prior to implementation of such measures.
- C. On May 13, 2003, the USDA-FS revised its national policy concerning the agency's implementation of NEPA with respect to hydroelectric projects. See Letter from Tom L. Thompson, Deputy Chief for the National Forest System, to Regional Foresters (May 13, 2003). Under the revised national policy, the USDA-FS recognizes the Commission as the responsible lead federal action agency for the purpose of conducting NEPA analysis of USDA-FS mandatory conditions and related PM&E Measures required by the license as issued or amended over the license term. The revised USDA-FS policy leads to an altered understanding between PacifiCorp and the USDA-FS as to how NEPA analyses will be completed under sections 21.5 and 21.7 of the Settlement Agreement.
- D. The USDA-FS and PacifiCorp have a common interest in the effective implementation of the terms of the Settlement Agreement and the New License. The USDA-FS and PacifiCorp enter into this Memorandum of Understanding ("MOU") to clarify their interpretation of USDA-FS NEPA obligations as they relate to license implementation.

It is mutually agreed that:

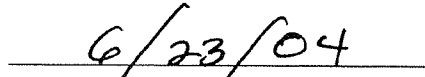
1. PacifiCorp shall continue to develop site-specific plans to implement PM&E measures in consultation with the USDA-FS and other agencies as provided in Section 21.5 of the Settlement Agreement and Article 301 of the New License. Once such plans have been developed and site-specific implementation measures identified by the USDA-FS and PacifiCorp, the plans shall be filed with the Commission for review and approval in accordance with Section 21.5 of the Settlement Agreement and Article 301 of the New License. The Commission, as the responsible lead federal action agency, will determine whether sufficient NEPA analyses have previously been completed for PM&E Measures. The USDA-FS and PacifiCorp shall defer to NEPA determinations made by the Commission.
2. Similarly, under Section 21.7 of the Settlement Agreement, the USDA-FS and PacifiCorp shall defer to the Commission for its determination whether sufficient NEPA analysis has previously been completed for any given PM&E measure. PacifiCorp shall prepare, at the direction of the Commission, any required NEPA analyses for PM&E Measures, and shall coordinate development of such analyses with the USDA-FS. PacifiCorp shall not be required to fund or implement additional environmental studies except to the extent required to do so by the Commission. PacifiCorp shall continue to schedule submissions to the Commission and other agencies such that any necessary environmental review can be completed in time for the PM&E Measures to be implemented on the schedule required by the New License and Settlement Agreement.
3. The USDA-FS and PacifiCorp regard the above changes in procedure to be consistent with Section 21.7 of the Settlement Agreement, and recognize that USDA-FS NEPA procedures may change yet again consistent with new policies, regulations or laws. Accordingly, this MOU may be terminated by the USDA-FS or PacifiCorp upon providing thirty (30) days written notice to the other party.
4. PacifiCorp and the USDA-FS shall coordinate in communicating the contents of this MOU to the Commission, to the other parties to the Settlement Agreement, and all other persons.
5. This MOU may be modified at any time by mutual consent of the signatory parties or their designees.
6. This MOU is not intended to obligate the USDA-FS to make any financial expenditures in violation of any law or regulation.
7. Except as specifically provided with respect to implementation of NEPA review by the Commission, this MOU does not in any way alter the obligations of PacifiCorp or the USDA-FS under the Settlement Agreement.

8. Nothing in this MOU shall be construed as preventing the USDA-FS from complying with its obligations under any laws or regulations.

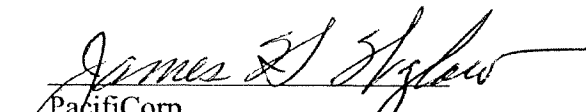
APPROVAL



Forest Supervisor
Umpqua National Forest



DATE



PacifiCorp



DATE



April 20, 2005

Walt Dortch, Regional Hydropower Coordinator
USDA Forest Service
Pacific Northwest Region
1405 Emmens St.
Darrington, WA 98241

Re: National Environmental Policy Act ("NEPA") Requirements for the North Umpqua River
Hydroelectric Project (FERC No. P-1927)

Dear Mr. Dortch:

The purpose of this letter is to reconfirm PacifiCorp's understanding of NEPA requirements for protection, mitigation, and enhancement ("PM&E") measures required by the North Umpqua River Hydropower Project's license, issued by the Federal Energy Regulatory Commission ("the Commission") on November 18, 2003.

By Memorandum of Understanding ("MOU") dated June 23, 2004, the USDA Forest Service and PacifiCorp set forth their agreement that the parties would defer to the Commission regarding the sufficiency of NEPA analyses for Project-related PM&E measures. The parties likewise agreed that PacifiCorp would submit plans and other documents to the Commission in a timely manner to permit completion of PM&E measures consistent with schedules contained in the Project license.

While not specifically discussed in the MOU, a number of PM&E measures will occur outside the current Project boundary. Through this letter, PacifiCorp reconfirms its agreement to follow the NEPA procedures outlined in the June 23, 2004, MOU for PM&E measures occurring either inside or outside the Project boundary. The Company will continue to file plans and other applicable documents with the Commission to permit the Commission to undertake necessary environmental reviews.

We appreciate your continued support and coordination on these matters. Please confirm that this is also the Forest Service's understanding of the MOU, and feel free to contact me at 503-813-6661 if you have any questions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "James Wazlaw".

James Wazlaw
North Umpqua Program Manager

cc: James Caplan, Forest Supervisor
Umpqua National Forest

John Sample, Senior Counsel
PacifiCorp



United States
Department of
Agriculture

Forest
Service

Umpqua
National
Forest

2900 NW Stewart Parkway
Roseburg, Oregon 97470
(541) 672-6601 FAX 957-3495
TDD 957-3459

File Code: 1950/2770

Date: November 7, 2005

Mr. James H. Wazlaw
North Umpqua Hydropower Program Manager
PacifiCorp
825 NE Multnomah St., LCT 1500
Portland, OR 97423

Dear Mr. Wazlaw,

The Forest Service has received your letter dated October 27, 2005, regarding the National Environmental Policy Act ("NEPA") requirements for the North Umpqua River Hydroelectric Project ("the Project") (FERC No. P-1927) and the related Project license issued by the Federal Energy Regulatory Commission ("the Commission") on November 18, 2003.

As outlined in the June 23, 2004, Memorandum of Understanding between PacifiCorp and the Forest Service, and your October 27, 2005 letter, the Forest Service and PacifiCorp shall defer to the Commission regarding the need to conduct additional NEPA analysis for any PM&E action required by the Project license, regardless whether such PM&E actions occur either inside or outside the current Project boundary.

In response to the design approval process outlined in PacifiCorp's October 27, 2005, letter, the Forest Service agrees this process would expedite project implementation. The Forest Service will strive to use this process wherever feasible. To achieve this goal, PacifiCorp will need to provide the Forest Service at the time of final design review supporting documentation as required by Section 21.5 of the Settlement Agreement. Copies of the final design drawings and specifications certified by a registered professional engineer in the State of Oregon will also need to be provided. In those few cases where it is not feasible for PacifiCorp to submit all the documents for review concurrently, the Forest Service would be willing to issue an approval of final design letter and to issue the letter to proceed once all documents are provided and reviewed.

We look forward to implementing this process. If there is further question please continue to work with Walt Dortch, Regional Hydropower Coordinator.

Sincerely,


JAMES A. CAPLAN
Forest Supervisor

OPTIONAL FORM 99 (7-90)

FAX TRANSMITTAL

of pages = 1 of 1

To	Diane Barr	From	P Sighting
Dept./Agency		Phone #	
Fax #		Fax #	

NSN 7540-01-317-7358

5098-101

GENERAL SERVICES ADMINISTRATION

cc: John L Ouimet, Walt Dortch, John J Sloan





October 27, 2005

James Caplan, Forest Supervisor
Umpqua National Forest
2900 NW Stewart Parkway
Roseburg, Oregon 97470

Re: National Environmental Policy Act ("NEPA") Requirements for the North Umpqua River
Hydroelectric Project (FERC No. P-1927)

Dear Mr. Caplan:

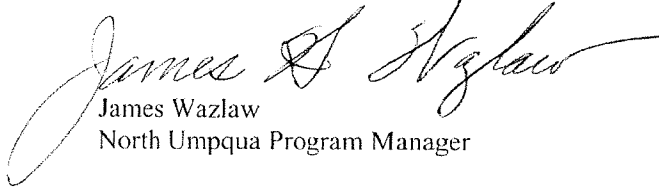
The purpose of this letter is to reconfirm PacifiCorp's understanding of NEPA requirements for protection, mitigation, and enhancement ("PM&E") measures required by the North Umpqua River Hydropower Project's license, issued by the Federal Energy Regulatory Commission ("the Commission") on November 18, 2003. This letter supersedes a letter that PacifiCorp sent to the USDA Forest Service on this topic dated April 20, 2005.

By Memorandum of Understanding ("MOU") dated June 23, 2004, the USDA Forest Service and PacifiCorp set forth their agreement that the parties would defer to the Commission regarding the sufficiency of NEPA analyses for Project-related PM&E measures. The parties likewise agreed that PacifiCorp would submit plans and other documents to the Commission at least 60 days prior to commencing construction of PM&E measures, in accordance with Article 301 of the Project License, to permit the Commission to undertake necessary engineering and environmental reviews. In accordance with Article 301, PacifiCorp will commence construction of PM&E measures upon authorization by the Commission's Portland Regional Office Regional Engineer.

While not specifically discussed in the MOU, a small number of PM&E measures will be undertaken outside the current Project Boundary. Through this letter, PacifiCorp reconfirms its agreement to follow the NEPA procedures outlined in the parties' June 23, 2004, MOU for those PM&E measures occurring both inside and outside the Project boundary. The Company will continue to file plans and other applicable documents with the Commission in accordance with Article 301 of the Project License. To expedite the Commission's review and approval of PM&E Measures, PacifiCorp intends to file USDA Forest Service approvals of project designs with the Commission. PacifiCorp requests that concurrently with its approval of project designs, the USDA Forest Service issue PacifiCorp a notice to proceed ("NTP"), contingent on the Commission's approval of project designs. PacifiCorp understands that such a notice may reserve the USDA Forest Service's right to modify NTP conditions in the event Commission-approved project designs differ substantially from those previously approved by the USDA Forest Service.

We appreciate your continued support and coordination on these matters. Please confirm that you concur with PacifiCorp's interpretation of the MOU, and feel free to contact me at 503-813-6661 if you have any questions regarding this matter.

Sincerely,



James Wazlaw
North Umpqua Program Manager

cc: Walt Dortch, Regional Hydropower Coordinator
USDA Forest Service

John Sample, Senior Counsel
PacifiCorp

EXHIBIT J

Contractor Terms & Conditions

Notice to Proceed Conditions

The following statements may be added to future Notices to Proceed issued by the USDA-Forest Service.

~~~~~

The USDA-FS has completed its review of the \_\_\_\_\_ Project and issues this Notice to Proceed as acknowledgment that the USDA-FS has approved the Project, and that the Project is consistent with all applicable laws, regulations, and policies, including the terms of the North Umpqua River Hydroelectric Project Settlement Agreement.

For those Projects constructed within or outside the current FERC Project Boundary, the following conditions apply:

- (1) The USDA-FS reserves the right to inspect Projects both during construction, and after construction as specified below, to ensure Projects are completed in a manner consistent with approved plans, specifications, or requirements. The USDA-FS will make good faith reasonable efforts to coordinate the time, place, and manner of Project inspections with PacifiCorp to insure Project construction is not delayed, and to insure completed construction actions are not disturbed. The USDA-FS reserves the right to suspend construction activities on Forest Service lands without advance notice when it is determined by an authorized Forest Officer that an act or omission (a) threatens or endangers the property of the United States administered by the Forest Service; (b) is out of compliance with applicable Forest Service fire protection requirements; or, (c) creates a substantial risk to safe public use of National Forest System lands in the project vicinity.
- (2) PacifiCorp shall notify the USDA-FS (a) within 5 business days prior to commencing Project construction, and (b) within 5 business days after completing Project construction. The USDA-FS reserves the right to inspect completed Projects within five (5) business days after receiving notification from PacifiCorp of Project completion ("the Review Period").
- (3) The USDA-FS reserves the right to notify PacifiCorp either during Project construction, or within the Review Period, by issuing PacifiCorp a notice that the project is not in compliance with approved plans, specifications, or requirements ("Letter of Non-Compliance"). In the event the USDA-FS issues a Letter of Non-Compliance, PacifiCorp and the USDA-FS will promptly meet to identify remedies. Any remaining disputes concerning the non-compliance will be resolved in accordance with Section 22.3.3 of the North Umpqua Hydroelectric Settlement Agreement.
- (4) In the event the USDA-FS fails to notify PacifiCorp of any non-compliance or fails to notify PacifiCorp that an extension of time is needed to complete final inspections within the Review Period, the Project will be deemed approved by the USDA-FS; provided, however, that any extension of the Review Period shall not exceed five (5) business days unless the USDA-FS notifies PacifiCorp within the Review Period that emergency conditions (e.g., natural disasters) exist that prevent its inspection. In the event the USDA-FS is unable to complete inspections

due to emergency conditions, the USDA-FS shall promptly complete final inspections upon cessation of emergency conditions.



## **To be Added to PacifiCorp Contractor Terms and Conditions**

Contractor shall undertake and construct the Project in accordance with the approved plans, designs, and conditions. Contractor's work and operations are subject to inspection by PacifiCorp and the USDA Forest Service. Upon the direction of an authorized PacifiCorp representative, Contractor will cooperate with the USDA Forest Service to accommodate USDA Forest Service inspections. Within 24 hours of any USDA Forest Service inspection, Contractor shall notify PacifiCorp of any USDA Forest Service comments or recommendations conveyed to Contractor by the USDA Forest Service concerning Contractor work. Upon the direction of an authorized PacifiCorp employee, Contractor shall promptly modify Contractor work to conform with modified plans, designs, and conditions. Contractor operations may be suspended by PacifiCorp in accordance with the provisions of this contract, including, but not limited to, circumstances in which an act or omission by Contractor (a) threatens or endangers the property of the United States administered by the USDA Forest Service; (b) is found to be out of compliance with applicable USDA Forest Service fire protection requirements; or (c) creates a risk to safe public use of National Forest System lands. Once suspended, Contractor operations shall resume upon the direction of an authorized PacifiCorp employee after correction of any deficiencies.

