



**Wallowa Falls Project Relicensing
January 16, 2013**

**Initial Study Report
Meeting Summary**

Start Time: 9:00 a.m.	End Time: 3:00 p.m.
Subject: Status of relicensing studies and stakeholder input on progress and methods	Attendees: See attendance list at the conclusion of this summary

The comments identified in the table below were submitted orally at the Initial Study Report Meeting of January 16, 2013. No written comment letters were submitted to PacifiCorp regarding Land Use, Aesthetics, Recreation and Cultural Resources.

Stakeholder and PacifiCorp Proposed Actions - January 16, 2013
<p>Aesthetics and Visual Resources: The attendees agreed to conduct a noise evaluation in the spring\summer of 2013. At a minimum, two noise levels will be recorded. The proposed methods are described below.</p> <ul style="list-style-type: none"> • In coordination with stakeholders, identify up to six locations in the general vicinity of the Powerhouse for which noise may be an issue. • One noise level will be recorded at a time when the powerhouse is off line (such as the annual maintenance outage) to establish a baseline. • A second recording will occur while the project is operating at full capacity in summer when visitor use is highest. • If feasible, temporary measures will be installed (i.e. temporary covering of the powerhouse tailrace) and a third noise level will be documented while the temporary measures are in place to evaluate the potential success of more permanent measures. • An analysis of the noise levels recorded will be conducted to compare background levels with those during typical project operations. The analysis will include recommendations for possible noise abatement measures and the possible success of such measures.
<p>Recreation: Greenig and Howison will arrange a follow up meeting of recreation stakeholders in late March or early April 2013, followed by an early summer site visit. Howison suggested all interested parties review the Recreation portion of the PowerPoint, Study Progress Report and the Initial Study Report (ISR).</p>
<p>Cultural Resources: PacifiCorp will follow up with Nez Perce Tribe to discuss their comments on the Study Progress Report (draft Technical Report).</p>
<p>Cultural Resources: Each Tribe (Nez Perce, Umatilla, and Colville) will continue to work on their individual studies of Traditional Use Areas and Traditional Cultural Properties</p>

potentially affected by the Project.

Cultural Resources: Additional work proposed includes the following:

- Interviews, site visits and individual tribal report development will take place during the spring\summer of 2013.
- The results of the TCP studies will be incorporated into the Final Technical Report and the license application.
- Each individual tribal TCP report will be attached to the Cultural Resources Final Technical Report as an appendix.
- Responses to stakeholder comments, final study results, and recommendations for Traditional Cultural Properties and Historic Properties of Religious and Cultural Significance will be presented in the Final Technical Report. The goal is to have some results by October 2013. However, final TCP reports and analysis may come sometime after that.

Introduction

Following introductions, Russ Howison (PacifiCorp) reviewed Near Term Relicensing Schedule as indicated below:

Party	Milestone	Date
FERC	Director's Study Plan Determination	January 4, 2012
PacifiCorp	Conduct Studies	Spring-Fall 2012
All stakeholders	Study Progress Meeting	October 23, 2012
PacifiCorp	Study Progress Report	December, 2012
PacifiCorp	File Initial Study Report (ISR)	January 3, 2013
All stakeholders	Initial Study Report Meeting	By January 17, 2013
PacifiCorp	File ISR Meeting Summary	By February 2, 2013
All Stakeholders	Disputes/Requests to Amend Study Plan Due to FERC	March 3, 2013
All Stakeholders	Responses to Requests Due to FERC	April 3, 2013
FERC	Director's Determination	May 3, 2013
PacifiCorp	Second Study Season (as needed)	Spring Summer 2013
PacifiCorp	Final Technical Report (assumes 1 study season)	June 2013
PacifiCorp	File Preliminary Licensing Proposal	October 1, 2013

Party	Milestone	Date
All stakeholders	Preliminary Licensing Proposal Comments Due	December 30, 2013
PacifiCorp	File Updated Study Report (USR)	January 3, 2014
All stakeholders	Updated Study Report Meeting	By January 17, 2014
PacifiCorp	File USR Meeting Summary	February 2, 2014
PacifiCorp	File Final License Application	February 28, 2014
PacifiCorp	Issue Public Notice of App. Filing	March 14, 2014
Party	Post Filing Milestone	Date
FERC	Issue Public Tendering Notice	March 14, 2014
FERC	Director's Determination on Any Additional Study Requests	March 30, 2014
FERC	Issue Ready for EA Notice	April 29, 2014
Agencies	Terms, Condit's, Recomm's Due	June 28, 2014
FERC	Issue License Order	March 25, 2015

Matt Cutlip (FERC – Portland) communicated that since PacifiCorp submitted its Initial Study Report (ISR) one day early (January 3, 2013) the schedule presented in the meeting may not be accurate by a day or two. The correct dates are provided in Appendix B of the FERC Scoping Document 2, dated August 4, 2011. Any additional changes to the schedule will be issued by the Federal Energy Regulatory Commission (FERC).

Howison informed the attendees that as they continue to review the Study Progress Report and ISR they are welcome to submit additional comments to PacifiCorp. PacifiCorp is not closing the comment period after March 3, 2013.

Cutlip also explained that the goal of this meeting is to work things out informally, and summarize issue resolution in this Meeting Summary. Stakeholder comments on the proposed studies for 2013 or disputes, if any, must be filed with the FERC by March 4, 2013. The March 3rd date indicated above is incorrect. Any request to modify an ongoing FERC-approved study must meet the criteria identified in 18 CFR §5.15(d). Any proposal for new information gathering or studies must meet the criteria identified in 18 CFR §5.15(e). The goal is to resolve any and all issues as early in the process as possible. As the Project moves forward the bar becomes higher for study requests, so this is the best time to resolve study issues and concerns.

Howison reviewed the meeting objectives; to provide a quick review of the study methods, results to date and to discuss any proposed modifications to the ISR identified 2013 study efforts in light of the progress to date, of the studies and data collected. Both the ISR and a copy of the ISR Meeting presentation given by the resource leads at the meeting can be found at:

ISR:

http://www.pacificorp.com/content/dam/pacificorp/doc/Energy_Sources/Hydro/Hydro_Licensing/Wallowa%20Falls/WFHP_Initial_Study_Rpt_Final_Jan_2013-P8.pdf

Presentation:

http://www.pacificorp.com/content/dam/pacificorp/doc/Energy_Sources/Hydro/Hydro_Licensing/Wallowa%20Falls/ISR_Meeting_MASTER_Day_2_01_16_13_LuAesRec_FINAL.pdf

Note: The PowerPoint presentation for Cultural Resources is not for public distribution

Land Use

Mark Greenig (CH2M Hill) identified the study objectives to include documenting existing land uses in the Study Area along with identifying applicable land use and management plans and evaluating the appropriateness of changes to Project facilities and operations related to relicensing with land uses in the Study Area and their consistency with applicable land use and management plans. He also provided a cursory review of the study methods, study area (lands within and adjacent to the FERC Project boundary), field work conducted to date and study status. Greenig discussed land ownership to include lands that are owned by PacifiCorp, lands that are leased by PacifiCorp to the state of Oregon, and US Forest Service (USFS) lands managed by the Wallowa-Whitman National Forest. He also characterized various land uses in the study area such as recreation, transportation and power transmission, conservation and hydro-electric generation.

Discussion took place regarding the USFS's effort to revise and update the Forest Plan, special use permits that have been issued over the years by the USFS for the Project, FERC requirements, and integrating a special use permit into the new license.

Greenig reviewed the applicable federal and local plans:

The portion of the Project contained within the USFS is located in areas that have been designated as Backcountry in the Forest Plan. Lands with this designation are managed to emphasize dispersed recreation and are to remain relatively natural and undeveloped.

The Project has been granted special use permits by the USFS. The issuance of special use permits for the Project indicates a history of approval of the Project by the USFS, subject to conditions in the FERC licenses that have been granted to the Project in the past.

The current special use permit issued to PacifiCorp by USFS was issued in 1993 and is valid until December 3, 2016.

The Eagle Cap Wilderness is managed under the Forest Plan as well as the Eagle Cap Wilderness Stewardship Plan.

PacifiCorp has, and will continue, to assist the USFS in meeting the directive of providing opportunities for dispersed recreation in the USFS.

Land use direction for the part of the Project that is located outside of the USFS is regulated by Wallowa County and managed under the 2003 Wallowa County Comprehensive Plan.

The Project is located in parts of three land use plan designation zones:

- Resort Commercial Recreation
- Resort Park-Restricted
- Timber Commercial

Power generation and transmission facilities are allowed as conditional uses in all three zones - the Project is consistent with the county comprehensive plan.

Dan Gonzalez (USFS) suggested that the USFS will provide a general understanding of what the Forest Service 4(e) terms and conditions are likely to be before formally submitting them to FERC.

No variances from the study plan have occurred to date.

No study modifications are proposed at this time.

Aesthetics and Visual Resources

Greenig identified the study objectives to include documenting existing aesthetic and visual character of the assessment area, Project facilities, and operations (noise and flows in the bypass reach) and determining if changes to Project facilities and operations related to relicensing would change the existing aesthetic and visual character and be consistent with aesthetic and visual resource directives in applicable land use and management plans.

Greenig also identified the study methods, study area, field work conducted to date and study status. Greenig mentioned that due to steep terrain and heavy vegetation, the visibility of Project components is very limited. He suggested a 0.5 mile viewshed as the assessment area. Pat Baird (Nez Perce Tribe) pointed out for cultural work on the Project a 1.0 mile viewshed will be considered and that it would make sense to use the same viewshed distance for the two resources. It was agreed that the visual resource viewshed distance would be increased to 1.0 mile.

Greenig reviewed photographs that were taken from locations with the bypass reach at various flows (5 and 8 cfs). All agreed that there was very little difference in the flows in terms of the aesthetic condition of the bypass reach and that flows in the bypass reach were not an important visual issue to consider.

Greenig described ideas that were generated by USFS staff and Greenig for an area near the East Fork Trail and the Project dam to reduce the visibility of the Project from the trail. These ideas involved planting native vegetation between the trail and the Project. Sweyn Wall (USFS) stated that the USFS has had good luck with high elevation vegetation restoration work and that USFS people familiar with appropriate plants should be contacted.

Another consideration to evaluate that was discussed is the development of an interpretive plan for the Project powerhouse area that could include historic photos and information related to the Project and other applicable subjects, resource protection information, tourism information, etc.

This concept will be discussed in more detail as the recreation and aesthetic enhancement measures are fully developed.

The topic of Project generated noise received a fair amount of discussion. However, no one in attendance was aware of any regulatory standards that would apply to determine appropriate levels of noise.

Pat Baird (Nez Perce Tribe) expressed concern that the Project operations can be heard from promontories in the Project area. Josiah Pinkham (Nez Perce Tribe) concurred that he would like PacifiCorp to do its best to make the powerhouse quieter and that the Nez Perce Tribe does not expect that PacifiCorp can make the Project absolutely silent. The analysis that is done will lay the ground work to address the concerns for noise in the future.

Sweyn Wall (USFS) stated that the USFS has a responsibility to protect the wilderness experience of visitors including solitude and that noise can adversely affects the wilderness experience.

Dan Gonzalez (USFS) suggested that he would discourage eliminating all noise because noise heard by wildlife may keep some species away from the powerhouse area, thus reducing the potential for negative wildlife-human interaction. For example, powerhouse noise may discourage bats from using the powerhouse or other Project features that could harm them.

Ken Wilcox (FERC) informed the attendees that he walked the Project area and noise from the Project was very audible in some areas. The cost to mitigate Project related noise is a concern and will be an important factor in any decision regarding noise reduction efforts.

Jim Hutton (Oregon Parks and Recreation Department) communicated that awareness of sound is a new wave in management and that it is important to be aware of soundscape and its effects. Recreation users expect sounds of all types to be present but context is important. It may be possible to reduce sound through planting vegetation.

Greenig said that sound monitoring could be conducted to identify existing sources of noise (aircraft, power boats, vehicle traffic, etc.) and to determine how audible Project operations are. Discussion took place about where to measure for sound to establish a baseline.

Howison stated that there may be some potential for reducing current noise levels. However many common noise reduction measures are already in place (heavy insulation of the building). To some degree, the noise is a function of the hydro project itself. Pelton-wheel type turbines are associated with high noise levels.

The attendees agreed that it would be appropriate to conduct a noise evaluation in the spring\summer of 2013. Proposed additional work related to noise includes:

- In coordination with stakeholders, identify up to six locations in the general vicinity of the Powerhouse for which noise may be an issue.
- One noise level will be recorded at a time when the powerhouse is off line (such as the annual maintenance outage) to establish a baseline.

- A second recording will occur while the project is operating at full capacity in summer when visitor use is highest.
- If feasible, temporary measures will be installed (i.e. temporary covering of the powerhouse tailrace) and a third noise level will be documented while the temporary measures are in place to evaluate the potential success of more permanent measures.
- An analysis of the noise levels recorded will be conducted to compare background levels with those during typical project operations. The analysis will include recommendations for possible noise abatement measures and the possible success of such measures.

Recreation Resources

Greenig reviewed the objectives of the study – they include characterizing existing recreation opportunities and use levels within the study area and identifying future recreation needs related to the Project over the term of the new license.

Greenig also provided a cursory review of the methods, study area, field work conducted to date and study status.

Greenig pointed out that an OPRD planning document for facilities in Wallowa County makes it clear OPRD is uncomfortable with investing in properties (the Little Alps Day Use area and the Wallowa Lake State Park maintenance area) leased to them by PacifiCorp because OPRD is not sure of PacifiCorp's long-term plans for the properties.

Howison asked Jim Hutton (OPRD) if OPRD would like to take over park management. Hutton discussed these properties as being part of a bigger picture for providing recreation to the area and that there could be opportunities for providing bivouac camping (for people entering and leaving the Eagle Cap Wilderness) at Little Alps. Hutton also mentioned that it might be possible to have a campground host for both the bivouac area and the Pacific Park Campground. He said that Wallowa Lake State Park does not have additional full time employees for this level of staffing, but would be interested in discussing cooperative management with PacifiCorp.

Howison informed the attendees that he has had a few discussions about the future of PacifiCorp's ownership and PacifiCorp is not sure where they want to go with it at this time. Howison indicated that he needs to explore if PacifiCorp is interested in entering into a long term (20 – 30 year) relationship with OPRD. There is some concern about Pacific Park Campground being used for Wallowa Lake State Park as an overflow resource. Often times with FERC Projects, a high occupancy rate can be an indicator of the need for additional capacity. If Pacific Park is at 90%+ capacity, would PacifiCorp be responsible for expanding camping capacity at the Project? PacifiCorp's concern is that they could be required to meet recreation needs that are not project-related.

Cutlip stated that entities such as Oregon State Parks have an opportunity to make recommendations for recreation enhancements to FERC under §10(a) of the Federal Power Act. However, any recreation improvements included in the new license will need to have a clear nexus to the Project. He noted that discussions related to cooperative management of non-FERC PacifiCorp lands would be valuable, but not directly related to relicensing the Project.

The attendees agreed that there is opportunity to improve recreation facilities on Project lands and the onus is not on PacifiCorp to address it; creating any MOUs goes beyond what is required for a FERC license.

Greenig pointed out that the neither the Pacific Park or Little Alps Day Use Area restroom facilities are ADA accessible, but that adding an ADA ramp to one of the Pacific Park vault toilets would be relatively simple to do and would benefit both recreation areas.

It was agreed that further user counts would not be required and that the USFS's desire to have a better idea on how many people enter the Eagle Cap Wilderness via Pacific Park (and are not counted as visitors) could be satisfied by installing a wilderness registration station at the beginning of the user-created trail that will be formalized as part of the relicensing.

Greenig and Howison will arrange a follow up meeting in late March or early April 2013 followed by an early summer site visit to discuss potential improvements at the Pacific Park Campground (and other nearby areas potentially suitable for interpretation).

Howison suggested all interested parties review the Recreation portion of the PowerPoint and the Initial Study Report (ISR).

<Break 12:25pm>

<Reconvene 1:30pm>

Cultural Resources

Howison reviewed the current short term schedule for the license proceeding.

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Kimberly Demuth (Cardno/Entrix) reviewed the study objectives to include the following:

- Identifying an Area of Potential Effect (APE) based upon potential direct and indirect effects from Project development and operation.
- Identify cultural resources within the APE.
- Assess identified resources for National Register of Historic Places (NRHP) -eligibility.
- Describe any potential effects from Project development and operation to NRHP-eligible resources.
- Develop protection measures for NRHP-eligible resources.

Arrow Coyote (Confederated Tribes of Colville) asked: when a determination of eligibility is made who makes them? Frank Winchell (FERC) responded that initially the applicant makes an evaluation\assessment then submits a recommendation to the State Historic Preservation Office (SHPO). However, as the lead federal entity, ultimately FERC makes any final determination of eligibility.

Demuth also provided a cursory review of the study area, methods, field work conducted to date and the study status.

Pat Baird (Nez Perce Tribe) expressed concern that there is too much focus in the Study Progress Report on compliance with Section 106 of the National Historic Preservation Act and requested the discussion be revised be a larger discussion of the entire National Historic Preservation Act of 1966.

Baird and Josiah Pinkham (Nez Perce Tribe) had the following additional comments:

Section 3-2: please correct typo - FHWA should be FERC.

Section 3-2: the indirect affects discussion is not broad enough to address (Nez Perce) tribal interests.

Section 3-6: The discussion in the first and second paragraphs of the section should be expanded to include a broader perspective of Nez Perce occupation of the area which is greater than the 700 years cited.

Sections 3-7 & 3-8: The Ethnographic sources cited; should include the ethnographic studies of the Nez Perce Tribe conducted by the same authors who conducted the cited Umatilla studies.

Section 3-7: A discussion of the Nez Perce war should be added to the document.

Section 3-7: The document should be more definitive in stating that the Project area is in the territory of the Nez Perce Tribe

PacifiCorp will follow up with the Nez Perce Tribe to discuss their concerns and needed revisions to the Study Progress Report.

Howison reviewed the status of the individual Traditional Cultural Properties (TCP) studies being done by the Tribes. Under the current FERC ILP schedule it would appear that the TCP studies need to be finished by September 2013.

Coyote communicated that the September 2013 date may not be possible particularly given that the contract with PacifiCorp to conduct the study is not signed yet.

Winchell informed the attendees that there are a number of ways to do this. The Historic Properties Management Plan (HPMP) can use a programmatic approach to address adverse effects. The worst case scenario would be if we don't have enough TCP information in time to do the National Environmental Policy Act (NEPA) analysis. The TCP studies are ongoing and FERC/PacifiCorp would have the opportunity to revise the HPMP once the TCP study results are in. Using this approach, the FERC licensing process could proceed and the TCP results could be integrated into the HPMP with necessary protection measures at a later date.

Winchell further stated that in general, an adverse effect to historic properties needs to be identified in order to require development of an HPMP.

If there is information you want to relay regarding sensitivity then send to the FERC and PacifiCorp to give a heads up if there are any issues. Get in the field while you can before the weather turns.

Tony King (US Forest Service) stated that as a land management agency, the Forest Service will need to have some basic resource information in order to meet the agencies stewardship responsibility. At the same time, the Forest Service understands that tribes are very concerned about sharing information they consider confidential & proprietary. King asked what level of information will be shared with the Forest Service.

Winchell responded that there is no one a set way to address this concern, but certain parameters are in place to deal with sensitive information. The Tribe(s) have the right not to reveal any information they don't want revealed. It can be shared on a need-to-know basis.

It was agreed by all parties that distribution of sensitive information will be determined by this work group with the Tribes being in control of what they wish to share initially with the group.

Pinkham asked what policies will the federal agencies adhere to in order to keep the information confidential, contingent upon reassurances that the Forest Service can provide us?

Winchell informed the attendees that the FERC considers a cultural submittal as a non-public file (equivalent to Critical Energy Infrastructure Information). FERC takes its responsibility for

preventing any outsider from hacking into the files very seriously. FERC has been successful to date in keeping cultural documents confidential and out of the public hands.

Howison said that PacifiCorp is very clear that the Tribe will produce a report; PacifiCorp will then file that report with FERC with the understanding that the resource group has access to it.

Shawn Steinmetz (CTUIR) said that he had a situation where SHPO asked for expanded additional detail in order to clarify potential effects in order to get through the process. He doesn't think this additional information has to be shared with the work group.

Winchell confirmed that the Tribes do not have to reveal everything about a site to place it into a protected status.

Baird asked for additional detail about how this is done effectively. He would like an example illustrating how this has worked in the past including an example of language that protects traditional use areas while maintaining confidentiality and how it was incorporated into the licensing process.

Demuth said that instead of going through the full details to determine eligibility; there have been cases where eligibility is not determined and the lead federal agency goes right to consideration of effect. Thus the resource is protected by presuming it is eligible and moving on to a discussion of effects and protection measures. She further stated that on the Wallula project she sent cultural information directly to the agency and the agency went right to decisions of effects on this project.

Howison mentioned that he assumes the contracts will be complete and in effect by the end of January 2014. PacifiCorp will continue to work with the tribes to conduct the studies, and FERC on the timeline of the TCP study completion, and how the information will be integrated into the licensing process.

Arrow said that it may be feasible to develop a technical memo summarizing the Colville study results by the fall but a detailed report would likely come later.

Winchell said that this will help regarding staying on schedule. We can fit it into the license process without any real problem. Perhaps a letter from PacifiCorp to declare an extension to produce this study may be necessary.

Baird raised concerns regarding some of the recreation improvements that were discussed in the morning meeting and requested that the Tribe be consulted if any recreation enhancements extend outside the previous surveyed areas.

Additional work proposed includes the following:

- Interviews, site visits and individual tribal report development will take place during the spring\summer of 2013.
- The results of the TCP studies will be incorporated into the Final Technical Report and the license application.
- Each individual tribal TCP report will be attached to the Cultural Resources Final Technical Report as an appendix.

- Responses to stakeholder comments, final study results, and recommendations for Traditional Cultural Properties and Historic Properties of Religious and Cultural Significance will be presented in the Final Technical Report. The goal is to have some results by October 2013. However, final TCP reports and analysis may come some time after that.

Wrap Up and Next Steps

- Action items included on Page 1 of this Meeting Summary Report
- Continue to work with ongoing TCP and scheduling.
- Keep FERC informed of status as we move forward

Parking Lot Items

Action items are included on Page 1 of this Meeting Summary Report.



Wallowa Falls Hydroelectric Dam Relicensing
 Initial Study Report Stakeholder Meeting
 January 16, 2013 – 9:00 am – 3:00 pm

Meeting Room – PacifiCorp, 111 W. North Street, Enterprise, OR 97282

Participant Name	Agency/Company	
Russ Howison Russ.howison@pacificorp.com	PacifiCorp Energy	
Kim McCune	PacifiCorp Energy	
Mark Greenig	CH2M Hill	Consultant
Ken Wilcox	FERC	
Matt Cutlip	FERC - Portland	
Frank Winchell	FERC	
Daniel Gonzalez	US Forest Service	
Sweyn Wall	US Forest Service	
Tony King	US Forest Service	
Susan Rosebrough	National Park Service	
Todd Honeywell	Oregon Parks and Recreation Dept.	
Jim Hutton	Oregon Parks and Recreation Dept.	
Shawn Steinmetz	CTUIR	
Pat Baird	Nez Perce Tribe	
Josiah Pinkham	Nez Perce Tribe	
Arrow Coyote	Colville	