

Final Conference Call Minutes



Aquatic Settlement Work Group

To: Aquatic SWG Parties **Date:** January 8, 2014
From: Michael Schiewe, Chair (Anchor QEA, LLC)
Re: Final Minutes of the December 11, 2013 Aquatic SWG Conference Call

The Aquatic Settlement Work Group (SWG) met by conference call on Wednesday, December 11, 2013, from 10:00 a.m. to 11:30 a.m. Attendees are listed in Attachment A of these meeting minutes.

I. Summary of Action Items

1. Patrick Verhey will remind Washington Department of Fish and Wildlife (WDFW) Fish Health Staff that Douglas PUD is facing a capacity issue at Wells Hatchery that requires resolution in early 2014; therefore, the Aquatic SWG needs WDFW's input regarding white sturgeon health guidance before that time. Further, Verhey will inquire whether WDFW's guidance will be a recommendation within the Aquatic Settlement Agreement (ASA) or unilateral decision occurring without unanimous consent of the Aquatic SWG (Item VI-2).
2. Aquatic SWG members will submit comments or email approval of the revised draft Phase One White Sturgeon Management Plan (WSMP) Monitoring and Evaluation (M&E) Study Plan to Douglas PUD (with a copy to Kristi Geris and Mike Schiewe) no later than December 20, 2013 (Item VI-3).
3. Douglas PUD will provide a draft Bull Trout Passive Integrated Transponder (PIT)-Tag Summary to Kristi Geris for distribution to the Aquatic SWG no later than December 25, 2013, for discussion during the Aquatic SWG conference call on January 8, 2014 (Item VI-5).
4. Douglas PUD will provide a draft Resident Fish Plan to Kristi Geris for distribution to the Aquatic SWG no later than December 17, 2013, for discussion at the Aquatic SWG conference call on January 8, 2014, and approval at the Aquatic SWG conference call on February 12, 2014 (Item VI-6).
5. Douglas PUD will provide the draft 2014 Gas Abatement Plan (GAP) and Bypass Operating Plan (BOP) to Kristi Geris for distribution to the Aquatic SWG no later than December 17, 2013, for discussion at the Aquatic SWG conference call on January 8,

2014, and approval at the Aquatic SWG conference call on February 12, 2014 (Item VI-7).

II. Summary of Decisions

1. The Phase One WSMP M&E Study Plan was approved by the Aquatic SWG via email on December 20, 2013, following a 10-day extension of the original 30-day comment period (i.e., 40-day review period). *(Note 1: Ecology approved the study plan provided that minor grammatical edits are addressed; and USFWS also approved the study plan provided that respective comments are incorporated per the Aquatic SWG's requests. Other members abstained from voting. Note 2: The Phase One WSMP M&E Study Plan was revisited during the Aquatic SWG conference call on January 8, 2014, and the remaining Aquatic SWG members approved the plan.)*

III. Agreements

1. The Aquatic SWG members present agreed on the following: If WDFW guidance on white sturgeon fish health rearing and stocking practices is to continue rearing and stocking all asymptomatic (non-clinical signs of an epizootic) larval-origin white sturgeon, the default action will be to follow the WSMP and stock the full complement of larval-origin fish currently on-station at Wells Hatchery (i.e., 2,300 fish), with the balance to achieve the 5,000 fish goal coming from the direct gamete-origin fish. Fish stocking sizes and release dates will be determined by the Aquatic SWG. If WDFW Fish Health Staff provides guidance other than above, the Aquatic SWG will convene a conference call to discuss options toward achieving the 5,000 fish stocking goal contained within the WSMP (Item VI-2).
2. The Aquatic SWG members present agreed to consider approval of the Phase One WSMP M&E Study Plan by email (Item VI-3).

IV. Review Items

1. The revised Phase One WSMP M&E Study Plan, which was distributed to the Aquatic SWG by Kristi Geris on December 10, 2013, is out for an additional 10-day review period with comments or email approval due to Andrew Gingerich (with a copy to Geris) no later than December 20, 2013 (Item VI-3).

V. Reports Finalized

1. There are no reports that have been recently finalized.

VI. Summary of Discussions

1. **Welcome, Agenda Review, and Meeting Minutes Review** (Mike Schiewe): Mike Schiewe welcomed the Aquatic SWG members (attendees are listed in Attachment A) and opened the meeting. Schiewe reviewed the agenda and asked for additions or other changes to the agenda. No additions or changes were requested.

The revised draft November 13, 2013 meeting minutes were reviewed. Kristi Geris said that all comments and revisions received from members of the Aquatic SWG were incorporated in the revised minutes, and that there were no outstanding edits or questions remaining to be discussed. The Aquatic SWG members present approved the November 13, 2013 meeting minutes, as revised.

2. **DECISION: White Sturgeon Stocking** (Andrew Gingerich): Andrew Gingerich recalled that during the Aquatic SWG's conference call on November 13, 2013, the Aquatic SWG discussed both Douglas PUD's draft White Sturgeon Stocking Proposal and the Colville Confederated Tribes' (CCT's) alternative draft White Sturgeon Stocking Proposal. He also recalled that the CCT and the Yakama Nation (YN) planned to discuss and develop a third draft proposal; he asked the CCT and the YN to provide an update on discussions that have taken place. Donella Miller said that the YN and the CCT discussed stocking strategies including numbers and size at release; however, at this point, the YN is not ready to make a recommendation. Bret Nine added that the CCT is proposing to release direct gamete-origin fish at 30 grams and larval-origin fish at 300 grams. He said a counter-proposal is to release direct gamete-origin fish at 150 grams, with the same proposal for the larval-origin fish at 300 grams. Pat Irle asked if there are fish health concerns that will affect those numbers. Nine replied that the CCT is proposing that if fish are asymptomatic (in terms of White Sturgeon Iridovirus [WSIV]), they should be stocked into the Wells Reservoir. He added, however, that if fish appear to be moribund or dying at a high rate that the CCT would be supportive of culling them. Bob Rose said that in terms of a stocking proposal, the YN and the CCT have not yet reached agreement.

Gingerich noted that Douglas PUD is now facing a capacity limit at Wells Hatchery, as described in an email distributed to the Aquatic SWG by Kristi Geris on November 27, 2013. He added that a decision on a stocking plan needs to be made no later than December 16, 2013. Miller asked if there is sufficient space to rear a total of 5,000 white sturgeon, and Gingerich replied that there is. He said that culling down to 5,000 fish requires knowing how many of each group will be stocked.

Patrick Verhey said that WDFW Fish Health Staff are currently working through discussions regarding the fate of sturgeon testing positive for WSIV, and should be able to provide a recommendation by the end of the week. Irle said that she understood that WDFW is now also testing the direct gamete-origin fish for WSIV, which had not yet

started when the email was distributed to the Aquatic SWG by Geris on November 27, 2013. Verhey confirmed that there was additional testing conducted on both larval-origin and direct gamete-origin fish. He said that 12 fish from each group were tested using a polymerase chain reaction (PCR) assay to validate the histological testing that was previously conducted on the larval-origin fish. He said the results were that larval-origin fish tested positive for WSIV, and direct gamete-origin fish tested negative.

Gingerich further clarified that, initially, only 9 larval-origin fish were tested histologically, and 100% came back positive for WSIV. He said that later, 12 larval-origin fish and 12 direct gamete-origin fish were tested using PCR, and 9 of 12, or 75%, of the larval-origin fish, and all of the direct gamete-origin fish, came back negative for WSIV.

Schiewe summarized that resolution needs to be reached by December 16, 2013, and that there is an expectation that WDFW Fish Health Staff will provide guidance on managing fish health by the end of this week. He asked if the Aquatic SWG prefers to wait for WDFW's input, or if they would like to develop a provisional plan? McLellan said that because he believes that the fish health concerns are based on inconsistent fish health testing, there is a strong likelihood that all fish will be stocked. He added that even if numbers are reduced to 2,500 direct gamete-origin fish, and for some reason wild larvae-origin fish are not stocked, abundance targets can still eventually be reached. Shane Bickford noted that the Federal Energy Regulatory Commission (FERC) License for the Wells Project clearly states that 5,000 white sturgeon must be released in 2014. Nine asked about interpretation of the license language that states "up to 5,000 (20,000 fish total)." Irle added that she does not interpret the language to be hard numbers. Bickford explained the language means that no more than 5,000 fish can be released per year; and a total of 20,000 fish need to be released in the first four years. He added that if only 3,500 fish are released in 2014, and no more than 5,000 fish can be released each subsequent year, there is no way to catch up by the end of year four. Nine said that the CCT would like to request clarification from FERC on interpretation of those numbers.

Irle recommended basing decisions on the best available science. Gingerich added that the fish health concern is an important consideration, and recommended reviewing the scientific literature to obtain a better understanding of the issue. Bickford said if WDFW recommends maintaining the fish, Douglas PUD would support fish health testing prior to release time. Gingerich said that currently, 2,300 larval-origin fish are on-station at Wells Hatchery, and about 6,000 direct gamete-origin fish are also on-station. McLellan asked if fish health testing continues, will both larval-origin fish and direct gamete-origin fish be monitored? Bickford replied that Douglas supported testing both groups in identical fashion.

Gingerich acknowledged that this was already a complicated issue that was even further complicated with the fish health situation. He added that in the future, the Aquatic

SWG might benefit from a fish health protocol document developed in advance of the arrival of fish. He said in terms of moving forward, Douglas PUD is supportive of waiting for input from WDFW Fish Health Staff but that he is hopeful that the existing information on the virus and other programs would be used to come to a decision. Verhey said that WDFW Fish Health Staff are trying to coordinate schedules to conclude their discussions; he added that Chad Jackson is very aware of the December 16, 2013 deadline. Verhey said that he will remind WDFW Fish Health Staff that Douglas PUD is facing a capacity issue at Wells Hatchery that requires resolution in the near term; therefore, the Aquatic SWG needs WDFW's input regarding white sturgeon health guidance before that time. He said he will also inquire whether WDFW's guidance will be a recommendation to the Aquatic SWG or a directive to Douglas PUD from WDFW.

Schiewe asked Douglas PUD if they wanted to establish a default action, such as using the 2,300 larval-origin fish and culling the direct gamete-origin fish, as needed, to release 5,000 fish. Gingerich said that given the complex nature of the situation, he is hesitant to cull direct gamete-origin fish without input from the Aquatic SWG. McLellan asked if, between all of the direct gamete-origin fish at Marion Drain, Columbia Basin, and Chelan Falls, in the event that wild fish are un-useable, would there be the ability to obtain fish from those locations to backfill? Gingerich said that he did not know; and added that now with the fish health history at Wells, it may be advantageous to keep Wells fish separate. Miller said that there is potential to backfill with Marion Drain fish; however, with the understanding that existing obligations need to be met prior to backfilling. She said that white sturgeon at Marion Drain are separated by maternal family group, and there is ample space to keep them that way. She noted, however, that some culling has already occurred at Marion Drain; so, at this point, she cannot guarantee there will be equal amounts of fish available from each family group.

Schiewe said that Douglas PUD believes they have a legal obligation to stock 5,000 fish; and he asked if anyone disagrees. Irle said that if there is a reason to stock fewer than 5,000 fish, the Washington State Department of Ecology would support a letter to FERC requesting that modification. McLellan said that the CCT disagrees with the interpretation of the 5,000 number and that an alternative proposal is being developed. He added, however, that size at release and timing still need to be discussed, and that reaching agreement by the end of the week is unlikely. Bickford reiterated that Douglas PUD's interpretation is that the default stocking rate is as outlined in the license and management plan—5,000 fish over the first 4 years. He said this will remain the default unless the Aquatic SWG unanimously votes to deviate from it. He said this is how the ASA has always functioned, and added that the HCP functions the same way, as well.

Schiewe asked if the Aquatic SWG is comfortable with moving forward with rearing and planting as outlined in the WSMP, pending fish health guidance from WDFW. The Aquatic SWG members present agreed on the following: If WDFW guidance on white

sturgeon fish health rearing and stocking practices is to continue rearing and stocking all asymptomatic (no signs of clinical disease or high mortality rate) larval-origin white sturgeon, the default action will be to follow the WSMP and stock the full complement of larval-origin fish currently on-station at Wells Hatchery (i.e., about 2,300 fish), with the balance to achieve the 5,000 fish goal coming from the direct gamete-origin fish. Fish stocking sizes and release dates will be determined by the Aquatic SWG. If WDFW Fish Health Staff provides guidance other than above, the Aquatic SWG will convene a conference call to discuss options.

3. **DECISION: Phase One WSMP M&E Study Plan** (Andrew Gingerich): Andrew Gingerich said that Kristi Geris sent an email to the Aquatic SWG on October 30, 2013, notifying them that the draft Phase One WSMP M&E Study Plan was available for a 30-day review period, with comments due to him no later than Friday, November 29, 2013. He said that comments on the draft plan were received including some extensive comments received from the CCT, which Gingerich said resulted in an improved document. Gingerich said that he had initially planned to request approval of the draft plan during today's conference call; however, due to the substantive edits made based on comments received he felt it would be appropriate to offer an extended review period so that the Aquatic SWG could consider the revisions made to the draft. He said that a revised draft Phase One WSMP M&E Study Plan was posted to the Aquatic SWG Extranet site on December 10, 2013, as described in an email sent to the Aquatic SWG by Geris that same day. He said that Douglas PUD is proposing a 10-day review period in addition to the lapsed 30-day review period, followed by a vote via email. The Aquatic SWG members present agreed to submit comments or email approval of the revised draft Phase One WSMP M&E Study Plan to Douglas PUD (with a copy to Geris and Mike Schiewe) no later than December 20, 2013. *(Note 1: the Phase One WSMP M&E Study Plan was approved by the Aquatic SWG via email on December 20, 2013, following a 10-day extension of the original 30-day comment period (i.e., 40-day review period). Ecology approved the study plan provided that minor grammatical edits are addressed; and USFWS also approved the study plan provided that respective comments are incorporated per the Aquatic SWG's requests. Other members abstained from voting. Note 2: The Phase One WSMP M&E Study Plan was revisited during the Aquatic SWG conference call on January 8, 2014, and the remaining Aquatic SWG members approved the plan.)*
4. **White Sturgeon Fish Health** (Andrew Gingerich): Andrew Gingerich said he believed this agenda item was adequately addressed during the white sturgeon stocking discussion. He suggested that when WDFW Fish Health Staff's input regarding white sturgeon stocking is provided to the Aquatic SWG, a summary detailing the fish health testing should also be distributed. Jason McLellan added that the group of fish that tested positive for WSIV received an exceptionally high level of scrutiny; he recommended that the other groups of fish receive the same treatment. Patrick Verhey agreed with

McLellan's recommendation. Pat Irle recommended that for the future, Douglas PUD develop standardized testing. Gingerich agreed and said that Douglas PUD supports the notion of standardized testing.

5. **Bull Trout PIT-Tag Summary** (Andrew Gingerich): Andrew Gingerich said that Douglas PUD is preparing a draft migration behavior summary report for bull trout in the Methow basin, and indicated that this report fulfills a request from the Aquatic SWG in lieu of the Twisp Weir Study that was deferred in 2013 until 2016/2017. He said that Douglas PUD will provide a draft Bull Trout PIT-Tag Summary to Kristi Geris for distribution to the Aquatic SWG no later than December 25, 2013, for discussion during the Aquatic SWG conference call on January 8, 2014. Gingerich noted that the draft migration behavior study is not a FERC requirement.
6. **Resident Fish Plan Review** (Chas Kyger): Chas Kyger said that the draft Resident Fish Plan is currently in the final stages of internal review. He said the draft plan is consistent with the Resident Fish Management Plan and that methods are largely the same as in previous years (i.e., beach seining and diver observations). He said that based on previous observations of burbot, additional methods have been included to gain a better understanding of those populations. He said that Douglas PUD will provide a draft Resident Fish Plan to Kristi Geris for distribution to the Aquatic SWG no later than December 17, 2013, for discussion at the Aquatic SWG conference call on January 8, 2014, and approval at the Aquatic SWG conference call on February 12, 2014. Kyger also noted that the draft plan is a Year-2 FERC license requirement.
7. **2014 GAP and BOP** (Andrew Gingerich): Andrew Gingerich recalled that a GAP is prepared each year. He said that Douglas PUD is also required to develop a BOP in concert with the GAP to manage spill for bypassing fish and also to meet total dissolved gas requirements. He said that Douglas PUD will provide the draft 2014 GAP and BOP to Kristi Geris for distribution to the Aquatic SWG no later than December 17, 2013, for discussion at the Aquatic SWG conference call on January 8, 2014, and approval at the Aquatic SWG conference call on February 12, 2014. The FERC license requires Douglas PUD to submit the 2014 GAP and BOP to the FERC by February 28 of each year.
8. **Pacific Lamprey Count Window – Removal of Upstream Ramps** (Chas Kyger): Chas Kyger said that the Wells Dam West Fish Ladder is currently being dewatered for its annual winter maintenance. He said that the upstream ramps located at the Wells Dam count windows will be removed to address the fish swirling and associated enumeration problems at the count stations. Mike Schiewe added that, in consideration of enumeration of salmonids and other small fish in the area, the HCP Coordinating Committees approved the removal of the upstream ramps at their meeting on November 19, 2013. Kyger reminded the group that the removal of the ramps made

sense as all of the lamprey observed in 2013 were observed free swimming through the count station and none chose to use the upstream ramps.

9. **Wells Dam Fish Ladder Maintenance** (Andrew Gingerich): Andrew Gingerich said that the Wells Dam West Fish Ladder was taken offline and dewatered on December 10, 2013, and that fish salvage efforts are underway today and tomorrow. He said the west ladder is expected to remain offline for maintenance until January 1, 2014, and is scheduled to be brought back online in early January 2014. He said that once the west ladder is back online, the Wells Dam East Fish Ladder will be taken down for maintenance, and will be out until mid-February 2014.

VII. Next Meetings

1. **Upcoming meetings** (Mike Schiewe): Upcoming meetings are as follows: *January 8, 2014 (conference call); February 12, 2014 (conference call); and March 12, 2014 (conference call).*

List of Attachments

Attachment A – List of Attendees

Attachment A List of Attendees

Name	Role	Organization
Mike Schiewe	SWG Chair	Anchor QEA, LLC
Kristi Geris	Administration/Technical Support	Anchor QEA, LLC
Andrew Gingerich	SWG Technical Representative	Douglas PUD
Chas Kyger	Technical Support	Douglas PUD
Shane Bickford	SWG Policy Representative	Douglas PUD
Steve Lewis	SWG Technical Representative	U.S. Fish and Wildlife Service
Patrick Verhey	SWG Technical Representative	Washington Department of Fish and Wildlife
Pat Irle	SWG Technical Representative	Washington State Department of Ecology
Jason McLellan	SWG Technical Representative	Colville Confederated Tribes
Bret Nine	Technical Support	Colville Confederated Tribes
Bob Rose	SWG Technical Representative	Yakama Nation
Donella Miller	Technical Support	Yakama Nation