

# Final Meeting Minutes

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## *Aquatic Settlement Work Group*

**To:** Aquatic SWG Parties **Date:** February 13, 2013  
**From:** Michael Schiewe, Chair (Anchor QEA)  
**Re:** Final Minutes of the January 9, 2013 Aquatic SWG Meeting

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The January Aquatic Settlement Work Group (SWG) met in person at the Wells Dam Hydroelectric Project on Wednesday, January 9, 2013, from 10:00 am to 4:00 pm. Attendees are listed in Attachment A of these meeting minutes.

## **I. Summary of Action Items**

1. Steve Lewis will provide revisions to the draft December 13, 2012 Aquatic SWG conference call minutes to Kristi Geris for incorporation prior to finalizing and distributing to the Aquatic SWG (Item VI-2).
2. Chas Kyger will provide photos of the Wells Dam count window modifications to Kristi Geris for distribution to the Aquatic SWG (Item VI-3).
3. Andrew Gingerich will provide Douglas PUD's draft 2012 Gas Abatement Plan (GAP) Report to Kristi Geris for distribution to the Aquatic SWG for review prior to filing the report with the Federal Energy Regulatory Commission (FERC) in February 2013 (Item VI-4).
4. The Aquatic SWG will submit comments on Douglas PUD's draft 2013 Action Plan to Kristi Geris no later than Friday, January 18, 2013 (Item VI-4).
5. Andrew Gingerich will provide contact information for the new Aquatic SWG U.S. Bureau of Land Management (BLM) Technical and Policy Representative, Chris Sheridan, to Kristi Geris for distribution to the Aquatic SWG (Item VI-8).

## **II. Summary of Decisions**

1. There were no Statements of Agreement (SOAs) approved at today's meeting.

## **III. Agreements**

1. There were no agreements discussed at today's meeting.

#### IV. Review Items

1. The Douglas PUD draft 2013 Action Plan is available for review with comments due to Kristi Geris by Friday, January 18, 2013.
2. Kristi Geris sent an email to the Aquatic SWG on January 11, 2013, notifying them that the Douglas PUD 2012 GAP Report is available for a 30-day review period, with comments due to Andrew Gingerich by Monday, February 11, 2013.

#### V. Reports Finalized

1. No reports have been finalized since the last Aquatic SWG meeting.

#### VI. Summary of Discussions

1. **Wells Dam Hydroelectric Project Tour – Part I: Power Production** (Brian Hicks, Andrew Gingerich, Chas Kyger): Brian Hicks, the Wells Dam Hydroelectric Project Superintendent, Andrew Gingerich, and Chas Kyger led a tour of the power production facilities at the Wells Dam Hydroelectric Project. Hicks provided an overview of power production at the dam while touring several areas of the project, including the Operations Center.
2. **Welcome, Agenda Review, and Meeting Minutes Review** (Mike Schiewe): Mike Schiewe welcomed the Aquatic SWG members (attendees are listed in Attachment A) and introduced Jessi Gonzales, the Aquatic SWG Policy Representative for U.S. Fish and Wildlife Service (USFWS). Gonzales also introduced Doug Tangen, a new office assistant at USFWS. Tangen has a background in Environmental Sciences and came to USFWS from the U.S. Navy. Schiewe welcomed them both and reviewed the agenda. He asked for additional agenda items, and the following revisions were made to the agenda:
  - Andrew Gingerich requested two additions: 1) a brief announcement regarding the new Aquatic SWG Technical and Policy Representative for BLM; and 2) a discussion of the Pacific Lamprey count window modifications and head differential license amendment.

Kristi Geris reported that one additional revision was received on the draft December 13, 2012 conference call minutes from Patrick Verhey on January 2, 2013. Verhey requested a modification regarding Washington Department of Fish and Wildlife's (WDFW's) review of the new Wells Project FERC license. Steve Lewis requested a revision to the discussion regarding the installation of infrared (IR) cameras for improved lamprey enumeration. He said that he would like it noted that the Aquatic SWG did not conclude whether to use IR cameras in the future; and he added that he would like to see what angles the existing cameras are capable of viewing. Gingerich said that he had not intended to give the impression that the IR cameras are no longer being considered. He said that the Aquatic SWG did collectively decide to postpone

installation of the IR cameras to first investigate if fish can effectively be enumerated without installation of the IR cameras; Gingerich added that this question will be investigated this year. Lewis said that he will provide revisions to the draft December 13, 2012 Aquatic SWG conference call minutes to Geris for incorporation prior to finalizing and distributing these minutes to the Aquatic SWG.

3. **Pacific Lamprey Count Window Modifications and Head Differential License**

**Amendment (Chas Kyger):** Chas Kyger said that the modifications to the count windows have been installed, and that the Aquatic SWG will have an opportunity to view the improvements during the tour of the Wells Dam east and west fish ladders. Kyger said that he will also take photos of the count window modifications and provide them to Kristi Geris for distribution to the Aquatic SWG.

Andrew Gingerich reminded the Aquatic SWG members that the new FERC license requires a license amendment for all permanent modifications to project facilities. He said that Douglas PUD is in the process of discussing the package of information to prepare for FERC that describes and shows that the Aquatic SWG has thoroughly reviewed and discussed the lamprey study and the related operational and structural modifications. Gingerich said that Douglas PUD should have a package ready for discussion for the Aquatic SWG February 13, 2013 meeting. Bao Le asked if Douglas PUD planned to state that the proposed head differential changes will occur each year, or just in 2013. Gingerich said that FERC is requesting a license amendment for these changes, so they must be viewing the changes as potentially permanent. He added that if FERC determines that the changes are a temporary measure, then an amendment will not be needed.

Kyger said that Douglas PUD is discussing logistics with the Yakama Nation (YN) to obtain adult lamprey from Bonneville Dam, and he also noted that Douglas PUD is coordinating with Grant PUD to obtain fish from Priest Rapids Dam, which Kyger said in total, covers all of the 125 study fish needed for the 2013 Pacific Lamprey radio telemetry study. Kyger said that arrangements should be finalized by spring. Steve Lewis asked if the U.S. Army Corps of Engineers (who operates Bonneville Dam) is requesting federal approval for securing the lamprey, and Kyger said that Douglas PUD is investigating whether that is a requirement. Kyger said that the YN would collect and transport the fish from Bonneville Dam to Wells Dam for tagging.

4. **2013 Aquatic SWG Action Plan (Andrew Gingerich):** Andrew Gingerich said that the Douglas PUD 2013 Aquatic SWG Action Plan was distributed to the Aquatic SWG by Kristi Geris on January 2, 2013. A PowerPoint presentation of the 2013 Aquatic SWG Action Plan (Attachment B) was also distributed to the Aquatic SWG on January 9, 2013.

Gingerich reviewed Aquatic SWG actions planned for 2013, by management plan. Actions included those associated to the Aquatic SWG Annual Report and webpage development, white sturgeon, bull trout, water quality, Pacific Lamprey, aquatic nuisance species (ANS), and resident fish. He reviewed planned activities and key dates associated with each respective management plan including planned studies, reports, and monitoring; regional coordination; and deadlines to FERC. Gingerich said that all 2013 activities will be incorporated into an Aquatic Settlement Agreement Annual Report and submitted to FERC. He noted that 2013 action dates were structured to comply with FERC deadlines.

Gingerich said that the new FERC license requires Douglas PUD to develop a webpage to post study plans, meeting minutes, and other relevant Aquatic SWG material. He said that the webpage will also include links to water quality data. Mike Schiewe asked if the webpage would be similar to a SharePoint site, and Gingerich replied that he was not yet certain what exactly the webpage will entail, but that an internal meeting is scheduled for this week to discuss these details. He said that Douglas PUD has a relicensing webpage, and that this new webpage may be similar to that. He also added that the Douglas PUD Information Technology (IT) staff is interested in including SharePoint as one of the options.

Steve Lewis asked about the status of Colville Confederated Tribe's (CCT's) and YN's white sturgeon professional services contract development, and Gingerich said that they both are near finalization. Specifically, the CCT contract process is complete and Douglas PUD is waiting on insurance information from the YN to finalize that contract. Lewis asked about the areas of collection, and Gingerich indicated that they have not yet been finalized, and that before they are, he would like the Aquatic SWG to review and reach agreement on options.

Gingerich noted that for bull trout monitoring in 2013, Douglas PUD plans to employ a "greater than 10 per year" rule that would require additional monitoring activities for sub-adults at Wells Dam. Bao Le explained that if more than 10 bull trout are detected in a one-year period, additional protective measures will be triggered.

Gingerich said that there are several water quality reports and plans slated for 2013. He noted that Douglas PUD has already received and incorporated comments on the 2012 Gas Abatement Plan (GAP) Report from the Washington Department of Ecology (Pat Irle); however, he would like to also provide the Aquatic SWG an opportunity to provide comments prior to filing the report with FERC in late February 2013. He added that he will provide the draft report to Geris for distribution to the Aquatic SWG for review prior to filing the report with the FERC. Gingerich said that the 2013 GAP Report and 2013 Bypass Operating Memorandum were distributed to the Aquatic SWG on December 28, 2012; and he noted that in 2013, Douglas PUD will now look to meet the 110 percent

total dissolved gas (TDG) standard year-round, and not just monitor compliance during the spill season, which has different TDG guidelines. Lewis asked what the target species are for the TDG compliance and Gingerich said that incidental sampling will be performed on all juvenile salmonid species.

Gingerich also said that the Annual Water Temperature Report will not be available until 2014 because 2013 will be the year of infrastructure installation and the first year of data collection. He went on to say that reporting will increase with the new FERC license, which means there will be a lot more for the Aquatic SWG to review. Le noted that the Section 401 deadline for a Spill Prevention, Control and Countermeasures Plan (SPCC) is not until March 2014, as opposed to the September 2013 FERC deadline. He asked if Douglas PUD will be able to forego the FERC deadline due to the existing deadline. Pat Irle said that she could not speak to what FERC will require, but that Ecology will want to review the SPCC if it is updated in September 2013.

Gingerich clarified that “STT-WQ” means “Sovereign Technical Team – Water Quality,” and that this team is associated with the Columbia River Treaty. He said that participating in forums with the STT-WQ will help inform decisions in addressing the treaty in the future.

Gingerich noted that several Pacific lamprey actions are tentative and will be carried forward on an “as needed” basis (see third grouping of bullets in Attachment B). Shane Bickford added that, with the exception of the Lamprey Entrance Efficiency Plan, Douglas PUD has five years to complete these tentative items.

Gingerich said, in summary, that Douglas PUD has a lot planned for 2013 and he asked that the Aquatic SWG submit comments on Douglas PUD’s draft 2013 Action Plan to Geris no later than Friday, January 18, 2013. He added that he would like to request approval on the draft 2013 Action Plan at the Aquatic SWG February 13, 2013 meeting.

5. **FERC License** (Andrew Gingerich and Shane Bickford): Shane Bickford reviewed that in early December 2012, Douglas PUD submitted a request for rehearing. Bickford said that Douglas PUD had raised three overarching issues: 1) the new license term; 2) how encroachment of Wells Dam on Chief Joseph Dam is calculated; and 3) the inclusion of Article 204 to address Canadian Storage. Bickford explained that the proposed new license term of 40 years is based on the incorrect assumption that the Wells HCP would expire on the same date as the HCPs for the Rock Island and Rocky Reach Project in 2052. Bickford clarified that the Wells HCP does not expire until 2054. FERC’s intent is to synchronize the license terms for all of the mid-Columbia River dams; however, as noted by many state, federal and tribal stakeholders, a coordinated relicensing is not appealing due to work load. He also noted that the Rock Island Dam FERC license

expires in 2028, and therefore could not be synchronized with the FERC licenses for Rocky Reach and Priest Rapids.

Bickford said that Douglas PUD believes that the second issue was an error within the language in the license, in that the U.S. Corp Army of Engineers, Bonneville Power Administration, and Douglas PUD have all agreed to the terms of future encroachment calculations and payments, and that FERC simply incorrectly carried those terms into the license. He added that Douglas PUD is seeking to overturn the third issue as it is inconsistent with the license articles for the other PUD dams and represents an outdated characterization of the Columbia River Treaty. Bickford also added that there were other minor issues that Douglas PUD mentioned in the request for rehearing, including the correction of the Wells Project boundary and peak generating capacity.

Jessi Gonzales asked if the Canadian Storage language was about to change again, and Bickford replied that the Canadian Storage that is referred to in the request for rehearing will not change (it is already built). However, the terms of operation between the U.S. and Canada is expected to change (i.e., the Columbia River Treaty) and Douglas PUD would like to have the ability to change with it rather than be stuck in the past as the new license article 204 requires. Bickford said that it may take up to 7 to 8 months before Douglas PUD hears back from FERC, and he noted that the group that handles the rehearings is separate from the licensing group.

Andrew Gingerich said that Douglas PUD is now working to develop a FERC compliance matrix that includes all of the complex requirements of the new license including the requirements mandated within the CWA Section 401 water quality certification, the ESA consultations for bull trout, steelhead and spring Chinook, the Federal Power Act section 18 fishway prescriptions and the requirements imposed by FERC.

6. **Water Quality Management Plan/401 Certification Priorities** (Andrew Gingerich): This agenda item was covered in the draft 2013 Aquatic SWG Action Plan Update discussion.
7. **White Sturgeon** (Andrew Gingerich): This agenda item was covered in the draft 2013 Aquatic SWG Action Plan Update discussion.
8. **New Aquatic SWG U.S. Bureau of Land Management Technical and Policy Representative** (Andrew Gingerich): Andrew Gingerich announced that Chris Sheridan is now the new Aquatic SWG Policy and Technical Representative for BLM. Gingerich said that he will send Sheridan's contact information to Kristi Geris for distribution to the Aquatic SWG.
9. **Wells Dam Hydroelectric Project Tour – Part II: East and West Fish ladders** (Shane Bickford, Andrew Gingerich, Tom Kahler and Chas Kyger): Shane Bickford, Andrew

Gingerich, Tom Kahler and Chas Kyger lead a tour of the east and west fish ladders at the Wells Dam Hydroelectric Project. Sites visited included the east and west fish ladders, the fish trap, the count station, the interpretive center, and the fish hatchery facilities. The 2012/2013 winter annual maintenance was underway; therefore, the east ladder was completely dewatered, which permitted access to view the recently installed count window modifications to improve lamprey enumeration. While discussing the modifications, Bickford and Kyger noted that in 2013, Douglas PUD also plans to install radio telemetry antennas in both Wells Dam fishways. They said that those arrays will help determine if the new wall diffuser screening and ramp perform as expected (i.e., if Pacific lamprey entry into the counting station is improved or if it is delayed, etc.).

## **VII. Next Meetings**

1. Upcoming meetings: *February 13, 2013 (conference call); March 13, 2013 (conference call); and April 10, 2013 (conference call).*

## **List of Attachments**

Attachment A – List of Attendees

Attachment B – Douglas PUD 2013 Aquatic SWG Action Plan Presentation

## Attachment A List of Attendees

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<b>Name</b>	<b>Role</b>	<b>Organization</b>
Mike Schiewe	SWG Chair	Anchor QEA, LLC
Kristi Geris	Administration/Technical Support	Anchor QEA, LLC
Andrew Gingerich	SWG Technical Representative	Douglas PUD
Shane Bickford	SWG Policy Representative	Douglas PUD
Tom Kahler	Technical Support	Douglas PUD
Chas Kyger	Technical Support	Douglas PUD
Steve Lewis	SWG Technical Representative	U.S. Fish and Wildlife Service
Jessi Gonzales	SWG Policy Representative	U.S. Fish and Wildlife Service
Doug Tangen	Observer	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
Bao Le†	Technical Support	HDR Engineering, Inc.

Notes:

† Joined by phone