

Final Conference Call Minutes



Aquatic Settlement Work Group

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

The February Aquatic Settlement Work Group (SWG) met by conference call on Wednesday, February 13, 2013, from 10:00 a.m. to 11:15 am. Attendees are listed in Attachment A of these meeting minutes.

I. Summary of Action Items

1. Douglas PUD will distribute to the Aquatic SWG for review and comment the updated language to the Douglas PUD Aquatic Nuisance Species Management Plan along with an outline of potential aquatic nuisance species education pamphlet and outreach materials, per Article 405 of their Federal Energy Regulatory Commission (FERC) license (Item V-3).
2. Washington Department of Fish and Wildlife (WDFW) will discuss with the Yakama Nation (YN) the potential for the Colville Confederated Tribes (CCT) to conduct experimental fishing at the confluence of the Snake River and Columbia River, downstream of Ice Harbor Dam, for white sturgeon larval collection for the Wells Supplementation Project (Item V-6).
3. Mike Schiewe will brief and request approval from Pat Irle and Bob Rose on agreements discussed at the Aquatic SWG's February 13, 2013 conference call meeting regarding white sturgeon larval collection locations for the Wells Supplementation Project (Item V-6).

II. Summary of Decisions

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

III. Agreements

1. Aquatic SWG members present approved the Douglas PUD 2012 Total Dissolved Gas Abatement Plan Report (Item V-2).
2. The Aquatic SWG members present supported collection of larval white sturgeon by the CCT at the following locations (in no priority): 1) the Rock Island tailrace and Wanapum Pool; 2) the Priest Rapids (PR) tailrace, including the reach near the confluence of the Snake and Columbia rivers; and 3) Lake Roosevelt. These collection efforts will occur in 2013 to meet Douglas PUD's FERC license requirements under the White Sturgeon Management Plan.

IV. Reports Finalized

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

V. 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. The following additions were requested:
 - Andrew Gingerich added a brief update on the Aquatic SWG 2013 Action Plan.
 - Steve Lewis added a discussion on No Net Impact (NNI) for Pacific Lamprey and Douglas PUD's role in contributing to this concept for the Wells Hydroelectric Project.

Kristi Geris reported that all comments and revisions received on the draft January 9, 2013 meeting minutes had been incorporated, and that no items remained to be discussed. The Aquatic SWG members present approved the January 9, 2013 meeting minutes, as revised.

2. **2012 Total Dissolved Gas Abatement Plan Report Approval** (Andrew Gingerich): Andrew Gingerich summarized that Douglas PUD and the Washington State Department of Ecology (Ecology) had worked together from October through December 2012 on edits and revisions to Douglas PUD 2012 Total Dissolved Gas Abatement Plan Report. He said that the report was distributed to the Aquatic SWG on January 11, 2013, and that the comment period closed on February 11, 2013. Gingerich reported that no additional Aquatic SWG comments were received on the draft report, aside from those received from U.S. Fish and Wildlife Service (USFWS) during the Aquatic SWG January 9, 2013 meeting, and also those received from Ecology. Gingerich added that comments received from Ecology and USFWS had already been incorporated into the draft report that was distributed to the Aquatic SWG on January 11, 2013. Gingerich confirmed that

Douglas PUD had received an email from Pat Irle stating that Ecology approved the final report.

Aquatic SWG members present approved Douglas PUD 2012 Total Dissolved Gas Abatement Plan Report.

3. **License Article 405: Aquatic Nuisance Species Management Plan Update within 6 Months of License Issuance (May 2013)** (Chas Kyger): Chas Kyger reported that as required by their new FERC license, Douglas PUD has developed draft modifications to their Aquatic Nuisance Species (ANS) Management Plan, including best management practices (BMPs) to prevent the spread of ANS during construction of recreation enhancement measures (per Section 4.1), and protocols to be implemented if ANS are detected during monitoring activities at the project (per Section 4.2.1). Kyger said that Douglas PUD plans to distribute the draft language to the Aquatic SWG for review. He summarized that modifications per Section 4.1 include BMPs for contractors, including requirements for general cleaning inspections and in-water work. Kyger said that modifications per Section 4.2.1 include response actions to any type of introduction of ANS. He explained that this broad approach was chosen over developing language specific to species and type of introduction.

Kyger said that in accordance with Section 401 of the Clean Water Act, Douglas PUD is also required to provide educational materials (e.g., pamphlets) at boat launches to increase boater awareness of the dangers of spreading ANS and to educate the public regarding the methods to decrease the spread of ANS. Kyger said that these educational materials supplement already available literature. Andrew Gingerich added that the deadline for producing these educational pamphlets and updating the ANS Management Plan is May 2013. Kyger said that along with the updated language to the ANS Management Plan, Douglas PUD will also provide to the Aquatic SWG an outline of potential ANS education pamphlet and outreach materials. He said that at this point, Douglas PUD is interested in narrowing down needed content (i.e., supplementing what already exists). Patrick Verhey noted that Grant PUD and Chelan PUD have also produced similar educational pamphlets and he suggested that Douglas PUD contact them to discuss what materials may already exist.

4. **Ladder Maintenance Update and Lamprey Study Plan Prep Update** (Chas Kyger): Chas Kyger reported that all modifications in preparation of the 2013 lamprey study should be in place in time for the start of the study. He said that modifications are complete in the Wells Dam east fish ladder, and that in the past week, the same modifications were being made in the Wells Dam west fish ladder. Kyger said that installation of the radio-telemetry (RT) equipment is anticipated to be complete by the end of the day; only final testing remains to be completed once the west ladder is re-watered.

5. **Lamprey Operation Changes and Modifications Amendment** (Andrew Gingerich): Andrew Gingerich said that Douglas PUD still does not know whether a license amendment will be required for the Pacific Lamprey count window modifications at Wells Dam. He added that Douglas PUD has not yet been assigned a FERC compliance officer to discuss details regarding this requirement. Gingerich reminded the Aquatic SWG that if the modifications can be characterized as temporary, a license amendment would not be required. He said, however, that Douglas PUD has consulted legal counsel who encouraged Douglas PUD to file a license amendment. Gingerich said that Douglas PUD will keep the Aquatic SWG updated as the process moves forward. Gingerich also noted that an SOA for a modified lamprey operations for 2013 was distributed to the HCP Coordinating Committees on February 12, 2013, and that the SOA will be up for approval at the February 26, 2013 meeting of the Coordinating Committees.
6. **White Sturgeon Larval Collection Locations for the Wells Supplementation Project** (Jason McLellan): Andrew Gingerich summarized that in fall 2011, the Aquatic SWG approved the White Sturgeon Broodstock Collection and Breeding Plan, and that subsequently, Douglas PUD released a related request for proposals (RFP). He said that an agreement was not reached on whether Douglas PUD supplementation program should focus on collection of naturally spawned larvae or on collection of broodstock and artificial spawning to meet their production goals. In the end it was agreed that Douglas PUD would fund both approaches in the first year of implementation. Gingerich said that the time to collect larval fish and broodstock is rapidly approaching, and that Douglas PUD is interested in Aquatic SWG members their input on priority locations for collection of white sturgeon larvae.

Jason McLellan said that the CCT has proposed three collection locations: 1) downstream of Rock Island Dam and Wanapum Pool; 2) downstream of PR Dam including McNary Pool; and 3) Lake Roosevelt. McLellan said that based on discussions with WDFW and the YN, both WDFW and the YN felt that collection of larvae in Lake Roosevelt should be the lowest priority. McLellan indicated that WDFW had initially recommended that the collection efforts focus downstream of The Dalles Dam in Bonneville Pool. However, McLellan said that further discussions with the YN made it clear that the YN, along with the other Columbia River Inter-Tribal Fish Commission (CRITFC) tribes, were not supportive of the CCT collecting larvae in Zone 6 (i.e., the Columbia River reach from Bonneville Dam to McNary Dam). McLellan suggested that opposition to the CCT collecting larvae in Zone 6 and Lake Roosevelt reduces their likelihood of collecting adequate numbers of larvae. Mike Schiewe asked if there is a scientific basis to not fish in Zone 6, or if the decision is based on jurisdiction. Chad Jackson replied that he had his suspicions as to why the CCT were excluded from Zone 6; however, he wanted to follow up with the YN to determine the exact reasons. McLellan said that he spoke with Bob Rose after the CRITFC decision and it was clear that the decision was based on policy implications. Schiewe then asked about the reasoning

behind making Lake Roosevelt collection the lowest priority, and McLellan replied that there is disagreement on the technical merits of using Lake Roosevelt fish. McLellan explained that WDFW was prioritizing collection between the PUD dams over Lake Roosevelt because they assumed downstream mixing was already occurring and they were interested in encouraging upstream mixing of genetic resources. McLellan suggested that because downstream gene flow was likely already occurring, Lake Roosevelt fish would be appropriate. Schiewe asked other Aquatic SWG members why, if in fact there is already downstream movement of larvae, Lake Roosevelt would not be a viable source of larvae for supplementation. Schiewe then asked about the value of facilitating upstream gene flow, and Jackson replied that based on discussions between WDFW, the YN, Grant PUD, and Chelan PUD during early implementation of the PUDs' respective white sturgeon supplementation programs, and prior to Andrea Drauch-Schreier's genetic analysis of Columbia River white sturgeon, there were differing opinions amongst researchers, managers, and other technical staff on stock structure, based on the available science. Jackson said that given these differing opinions, WDFW and the YN felt it was best for Grant PUD and Chelan PUD to collect sturgeon gametes from adult inhabiting the middle Columbia River. After Drauch-Schreier's study was released, there appeared to be a general acceptance that Columbia River white sturgeon are one population with apparent greater genetic relatedness between middle and upper Columbia River stocks and populations. He said that regardless of whether Lake Roosevelt larvae are in the mix, WDFW would like this source of fish to be available for all three PUDs' supplementation programs. Jackson concluded that at this time, WDFW prefers that the CCT obtain all fish from the PR project area to achieve numerical goals. He added, however, that because larvae collection success within the PR project area is unknown, WDFW will allow Lake Roosevelt larvae to be part of the 2013 collection efforts because the likelihood of success is very high there. Jackson also noted that there were logistical details regarding collection that need to be further discussed with the CCT.

Schiewe summarized that due to tribal policy related-issues in the Lower Columbia River (Zone 6), the CCT larval collection needs to come from the Columbia River upstream of McNary Dam. Schiewe noted that it would be a more robust program if fish were collected from different areas. McLellan agreed, however, he added that the fishing gear that the CCT has available is limited by velocity for two reasons: 1) keeping the gear in position; and 2) keeping the larvae alive. He said that the CCT is discussing fishing areas downstream of PR, perhaps as far south as the Tri-Cities (i.e., Kennewick, Pasco, and Richland, Washington). Jackson said that to his knowledge, there are no issues with the CCT fishing within the Hanford Reach downstream of PR Dam. McLellan added that it is apparent that the McNary Dam reach population moves around and that some fish spawn downstream of Ice Harbor Dam. He asked if there is concern with the CCT conducting experimental fishing downstream of Ice Harbor Dam. Jackson said that he was unsure, but that WDFW will discuss with the YN and specifically address the

potential for the CCT to conduct experimental fishing at the confluence of the Snake River and Columbia River. Gingerich asked if he was hearing that all parties present agreed that the three larval sturgeon collection locations—downstream of Priest Rapids Dam, downstream of Rock Island Dam, and within Lake Roosevelt—were acceptable to all group members present; specifically, for the purposes of collecting larval fish in 2013. Schiewe proceeded to ask each member present if all parties agreed to these three locations. All parties present agreed that the three locations proposed would be acceptable for 2013. Gingerich asked if concerns may be anticipated from those absent from this discussion, including the Washington Department of Ecology (Ecology) and the YN representatives. Schiewe said that he will brief and request approval from Pat Irlle and Rose on agreements discussed regarding white sturgeon larval collection locations for the Wells Supplementation Project. *(Note: Pat Irlle indicated her approval, via email on February 27, 2013, of the three proposed white sturgeon larval collection locations for the Wells Supplementation Project based on all fish managers reaching consensus, including the YN).* Gingerich asked if the CCT need to obtain collection permits from WDFW, and Jackson replied that yes, the CCT is required to have current WDFW scientific collection permit(s) for all collection area(s) of the Columbia River that they plan to collect larvae from, including the confluence of the Snake and Columbia rivers. McLellan said that the CCT and Grant PUD has applied for collection permits for downstream of Rock Island Dam and Wanapum Pool, and that the CCT has been advised by their legal counsel to not apply for permits for Lake Roosevelt because it is considered reservation boundary waters (which do not require a permit). He added that transport permits for all three locations would also be applied for. Jackson noted that the WDFW Fish Transport Permits required for larval fishing efforts in 2013 should be sent directly to him for any and all of the agreed upon fishing locations, and that he would help move them through the permitting process. McLellan acknowledged this and agreed to send permits directly to Jackson.

7. **Aquatic SWG 2013 Action Plan** (Andrew Gingerich): Andrew Gingerich reminded the Aquatic SWG that the Aquatic SWG 2013 Action Plan was reviewed at the January 9, 2013 meeting, and that an electronic version of the action plan was distributed to the Aquatic SWG on January 2, 2013. Gingerich said that no comments have been received on the plan with the exception of those edits discussed during the Aquatic SWG January 9, 2013 meeting; however, revisions have been made to elements in the Pacific Lamprey Management Plan, as distributed to the Aquatic SWG on January 28, 2013. Gingerich said that based on year 1 requirements outlined in their FERC license, Douglas PUD decided to remove some of the Pacific Lamprey activities previously included in the Aquatic SWG 2013 Action Plan.
8. **NNI and Pacific Lamprey Management Plan** (Steve Lewis): Steve Lewis recommended including a component of NNI in the Aquatic SWG 2013 Action Plan. Andrew Gingerich recalled similar discussions amongst the Aquatic SWG members at the October 10, 2012

and November 13, 2012 meetings. He explained that Douglas PUD remains committed to the Pacific Lamprey Management Plan (PLMP), which contains similar components of the JFP proposal such as juvenile habitat use, and that Douglas PUD does not feel that another document is needed. He added that specific language for “no net impact” is not found within the PLMP or the ASA and the term NNI remains largely undefined in circles outside of the Aquatic SWG, and Douglas PUD does not see value in trying to define NNI. Gingerich said that Douglas PUD is showing their commitment to Pacific Lamprey by conducting the Pacific Lamprey Passage Study, which has specific intent to address objectives in the PLMP. Lewis suggested that some issues have changed since the development of the PLMP, especially those related to policy. He agreed with the difficulties in defining NNI, and added that there are ways to modify a plan and still keep the general concept; he said, for example, that they could do what was done for the bull trout study in early 2000. This bull trout study included a high level of coordination between USFWS and Douglas PUD regarding the upstream and downstream passage of tagged bull trout through the Wells Dam and within tributaries both upstream and downstream of the Wells Dam. Gingerich replied that if USFWS thought something needed to be accomplished within the context of the PLMP, Douglas PUD would encourage that they bring forward a very specific study that the Aquatic SWG could discuss and potentially approve, like that which was completed for the passage study, instead of creating a new management plan that is broad and undefined in terms of scope. He recalled that the NNI document presented at the Aquatic SWG’s October 10, 2012 meeting contained a lot of broad language with few specifics measure or study items; therefore, it did not seem to be a very productive approach that fit within the contents of existing PLMP objectives. Lewis asked if Douglas PUD plans to participate in tributary studies, and Gingerich said that the tributary components are outside of the scope of the PLMP. Gingerich added, however, that Douglas PUD would collaborate on these efforts by sharing data or tag codes if another agency funded some other aspect of a study, which was outside the scope of the PLMP. He explained that Douglas PUD can only participate in a way that is consistent with the existing Well Settlement Agreement that the Aquatic SWG member organizations signed off on. Lewis asked if Douglas PUD would be interested in installing arrays in the Chewuch River and in other locations in the Methow Basin, and Gingerich replied that Douglas PUD would need to review a formal proposal and added that he thinks the response would be that it is outside of the scope of this year’s study objectives. He said that if the request is to collaborate on sharing Passive Integrated Transponder (PIT) tag data from the lamprey passage study, then that would likely be no problem. Mike Schiewe noted that it would be a good opportunity to share and capitalize on data being collected during the lamprey study. Lewis agreed that a proposal would be a good approach, and added that he was only trying to gauge Douglas PUD’s interest in this type of suggestion. Gingerich said that the proposal would need to contain specific details and that it would need to speak to one of Douglas PUD’s management plans to get any traction with Douglas PUD managers. Lewis said that USFWS is largely focused on passage and tributary efforts,

and Gingerich said that Douglas PUD is on board with those efforts. Patrick Verhey said that more discussions are planned and, as things solidify, he said that he anticipates that Douglas PUD will be invited to further participate in these discussions.

VI. Next Meetings

1. Upcoming meetings: *March 13, 2013 (conference call); April 10, 2013 (conference call); and May 8, 2013 (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
Steve Lewis	SWG Technical Representative	U.S. Fish and Wildlife Service
Patrick Verhey	SWG Technical Representative	Washington Department of Fish and Wildlife
Chad Jackson	Technical Support	Washington Department of Fish and Wildlife
Jason McLellan	SWG Technical Representative	Colville Confederated Tribes