



Wells, Rocky Reach, and Rock Island HCP Tributary Committees Notes 13 December 2018

Members Present: Jeremy Cram (WDFW), Chris Fisher (Colville Tribes), Tom Kahler (Douglas PUD), Brandon Rogers (Yakama Nation), Kate Terrell (USFWS), Catherine Willard (Chelan PUD), Justin Yeager (NOAA Fisheries), and Tracy Hillman (Committees Chair).

Others Present: Becky Gallaher (Tributary Project Coordinator).

The Wells, Rocky Reach, and Rock Island Hydroelectric Projects Habitat Conservation Plans Tributary Committees met at Grant PUD in Wenatchee, Washington, on Thursday, 13 December 2018 from 9:00 am to 12:15 pm.

I. Review and Adopt Agenda

Tracy Hillman welcomed everyone to the meeting and the Committees adopted the proposed agenda.

II. Review and Approval of Meeting Minutes

The Committees reviewed and approved the 11 October 2018 meeting notes.

III. Monthly Update on Ongoing Projects

Becky Gallaher gave an update on funded projects. Most are progressing well or had no salient activity in the past month.

- Barkley Irrigation – Under Pressure Project – The sponsor (Trout Unlimited; TU) reported construction has started on Phase 1 (piping). They also have signed easements for MVID ROW.
- Icicle Boulder Field Project – The sponsor (TU) reported they continue to work through the permitting process. Construction is planned for summer 2019.
- Peshastin Creek RM 10.5 PIT-Tag Detection Site Project – By 31 December 2018, the sponsor (Washington Department of Fish and Wildlife; WDFW) will submit the third-year monitoring report on work conducted in 2018.
- Burns-Garrity Design Project – The sponsor (Cascade Columbia Fisheries Enhancement Group; CCFEG) reported that after meeting with project funders and the Upper Columbia Regional Technical Team, they decided to move forward with a seasonal side channel. Given the uncertainty in the evolution of the channel upstream from the project site, as well as cost and other risks, the sponsor will not consider a change in the inlet location. The sponsor will continue to work with landowners and the Methow Salmon Recovery Foundation to identify possible enhancement actions upstream from the project site.
- Beaver Fever Project – The sponsor (TU) continues to work with the Forest Service on installation of beaver dam analogs (BDAs) in Potato and Roaring creeks.

- M2 Mid-Sugar Acquisition Project – This project is complete. The final report and Stewardship Plan have been uploaded to the Extranet site.
- Methow Basin Barrier Diversion Assessment Project – The sponsor (CCFEG) reported no new activity on this project. The sponsor plans to resume surveys next summer.
- Derby Creek Fish Passage Project – The sponsor (CCFEG) reported they have permit-ready designs and will begin the permitting process this month.
- Chiwawa Nutrient Enhancement Project – The sponsor (CCFEG) reported they distributed analogs throughout the target reaches within the Chiwawa River this fall. Once water quality monitoring is complete, they will share the results with the Tributary Committees.
- Monitor Side Channel Design Project – The sponsor (Chelan County Natural Resources Department; CCNRD) reported they selected Natural Systems Design to help with designing enhancement actions within the side channel.

IV. Time Extension Request

Burns-Garrity Restoration Design Project

In November, the Rocky Reach Tributary Committee received a time extension request from Cascade Columbia Fisheries Enhancement Group on the Burns-Garrity Restoration Design Project. Because of an avulsion in the mainstem Chewuch River near the entrance to the proposed side channel, the sponsor requested additional time to identify and discuss alternatives, and, if necessary, modify the enhancement design. They asked to extend the completion date from 1 December 2018 to 1 December 2019. After review and discussion, the Rocky Reach Tributary Committee approved the time extension.

V. Budget Amendment Request

Chiwawa Nutrient Enhancement Project

In November, the Rock Island Tributary Committee received a budget amendment request from Cascade Columbia Fisheries Enhancement Group on the Chiwawa Nutrient Enhancement Project. The sponsor asked to move \$20,500 from Professional Services to other line items as follows: \$2,500 to Project Materials and Equipment, \$15,000 to Rentals and Leases, and \$3,000 to Travel. This would result in a final budget of \$20,500 in Professional Services, \$5,000 in Project Materials and Equipment, \$20,000 in Rentals and Leases, and \$6,750 in Travel. Travel includes both mileage and lodging/meals. After careful consideration, the Rock Island Tributary Committee approved the budget amendment. The total budget amount (\$267,650) will not change as a result of this amendment.

VI. Small Project Application

Peshastin Creek RM 8.8 Channel Reconnection: Environmental Site Assessment

The Committees received a Small Projects proposal from Chelan County Natural Resources Department titled: *Peshastin Creek RM 8.8 Channel Reconnection: Environmental Site Assessment*. The purpose of the project is to conduct a Phase I Environmental Site Assessment (ESA) and, if necessary, a Phase II ESA within a potential channel reconnection project near RM 8.8 on Peshastin Creek. The site appears to have been contaminated with petroleum products and possibly other contaminants. Therefore, an assessment is needed to evaluate the levels of contaminants within the project site. This work is needed before funds are spent on reconnecting the channel. The total cost of the project is \$17,700. The sponsor requested the entire amount from HCP Plan Species Account Funds. The Rocky Reach Tributary Committee approved \$11,100 for this project (\$4,400 for Phase I and \$6,700 for Phase II). The Committee elected not to fund the appraisal, because the Committee will hire their own appraiser to evaluate the value of the properties depending on the results of the ESAs.

Although the Rocky Reach Tributary Committee approved funding for both the Phase I and II ESAs, they require review of Phase I results before approving the Phase II ESA.

VII. General Salmon Habitat Program Application

Icicle Creek Fish Passage – Wild Fish to Wilderness Project

The Committees received a General Salmon Habitat Program proposal from Trout Unlimited titled: *Icicle Creek Fish Passage – Wild Fish to Wilderness Project*. The purpose of the project is to enhance fish passage at the Boulder Field (RM 5.6) on Icicle Creek and thereby provide access to more than 23 miles of high-quality habitat. This will be accomplished by creating a 160-foot fishway (14% slope, step-pool channel) along the left bank. This project is likely to have a large positive effect on steelhead abundance, productivity, and spatial structure. The total cost of the project is \$2,275,000. The sponsor requested \$375,000 from HCP Plan Species Account Funds. The amount requested from the Tributary Committees would be in addition to the \$250,000 approved by the Rock Island Tributary Committee in 2015. All members except the Colville Confederated Tribes (CCT) approved funding for the project at this time. The CCT asked for additional time before providing their vote on the project. The Yakama Nation (YN) approved the request with the caveat that an agreement regarding anadromous fish management in the Icicle watershed is signed by the YN, CCT, WDFW, NOAA Fisheries, and USFWS. The CCT delay is also a function of ongoing discussions regarding the fish-management agreement. A decision on this project was tabled until all parties can provide votes.

Twisp Confluence Habitat Complexity Project¹

In October, the Committees received a General Salmon Habitat Program proposal from the Yakama Nation (YN) titled: *Twisp Confluence Habitat Complexity Project*. The purpose of the project is to use large wood to stabilize a bank at the confluence of the Twisp River where bank erosion is threatening sewer line infrastructure for the town of Twisp. The large wood will not only protect the bank from further erosion, it will increase habitat complexity for juvenile and adult salmonids and will prevent the Army Corps of Engineers (COE) from riprapping the bank, which they have offered to do. The total cost of the project is \$299,300. The sponsor requested \$269,600 from HCP Plan Species Account Funds. In October, the Committees tabled the proposal and requested that YN secure a cost share from COE equivalent to the amount COE would spend on placing riprap along the eroding bank.

In December, YN reported they were unable to secure funding from COE. Emergency funding from COE is not available outside of an existing emergency declaration. This money can only be spent under COE direction on an emergency action. There are other COE non-emergency programs available; however, under those programs, COE takes the lead on a 4 to 5-year design process and requires a 35% funding match from the requesting entity. COE design and implementation funding can only be used for bank stabilization with a requirement that the project be based on the lowest cost alternative. Thus, YN believes COE would not be able to fund fish habitat structures.

Because there is no cost share from COE and the fact that this is a bank stabilization project, which the Committees generally do not fund, the Committees declined the opportunity to fund the project.

Upper Kahler Stream and Floodplain Enhancement Project

The Committees received a General Salmon Habitat Program proposal from the Yakama Nation titled: *Upper Kahler Stream and Floodplain Enhancement Project*. The purpose of the project is to reduce the risk of an avulsion near RM 8.6 on Nason Creek by constructing a large, buried, log jam at the upstream inlet of the developing avulsion channel and filling the avulsion channel with large substrate. The project will also construct three additional buried bank jams and enhance fish habitat at the downstream end of

¹ During discussions on YN proposals, the YN representative on the HCP Tributary Committees recused himself by leaving the conference room.

the avulsion channel. In addition to minimizing the risk of an avulsion, the proposed placement of wood and enhancement of the downstream end of the avulsion channel will improve spring Chinook and steelhead habitat. The total cost of the project is \$482,500. The sponsor requested \$231,500 from HCP Plan Species Account Funds. The Tributary Committees elected to not fund this project as currently designed.

The Committees understand efforts to minimize risk of avulsion. Indeed, an avulsion at this site would reduce the amount of available habitat by disconnecting the existing meander. However, they do not support filling the avulsion channel with large sediments. Rather, they believe the risk of an avulsion could be reduced by placement of wood structures within the main channel that encourage deposition at the potential site of avulsion. Proper placement of these structures would also divert flow away from the left bank and thereby reduce the risk of an avulsion. Finally, to reduce enhancement costs, they recommend the use of pilings and racked wood to improve fish habitat in the reach. These structures would replace the proposed buried bank jams at an expected reduced cost.

The Committees understand that a lot of work went into developing the current designs. Therefore, they would entertain a presentation during a future meeting describing why filling the avulsion channel is necessary and why buried bank jams are the preferred solutions in this site.

Stormy Project Area “A” Stream and Floodplain Enhancement Project

The Committees received a General Salmon Habitat Program proposal from the Yakama Nation titled: *Stormy Project Area “A” Stream and Floodplain Enhancement Project*. The purpose of the project is to maintain salmon and steelhead spawning habitat within the middle Entiat River, improve mainstem juvenile rearing and adult holding habitat, and improve off-channel juvenile rearing habitat. This will be accomplished by constructing ten mainstem log structures and two perennial side channels. One side channel will be 200 feet long; the other will be 2,500 feet long. Large wood will also be placed throughout the side channels. The total cost of the project is \$1,652,218.15. The sponsor requested \$1,140,968.15 from HCP Plan Species Account Funds. The Tributary Committees elected to not fund this project as currently designed.

On several occasions in the past, the Committees reviewed similar designs prepared by the Bureau of Reclamation (BOR) for the Entiat River. During the reviews, the Committees consistently said they supported removing levees and enhancing the Cottonwood Flats site. They also said they do not support the proposed large wood projects, many of which appeared to be designed to stabilize banks (recall that the Independent Scientific Advisory Board also questioned these large wood projects). There are several large wood elements in the Stormy Project Area “A” proposal that are similar to elements in the BOR designs. As with the BOR designs, the Committees do not support these structures identified in the Stormy Project Area “A” proposal. That said, the Committees do support the activation of the longer existing side channel (not the excavated channel) on river right. The Committees believe that activating the longer side channel will provide greater biological benefit than the excavated channels. The feasibility and cost effectiveness of activating the longer side channel is unclear given the need for wetland mitigation; however, the Committees recommend that this action be explored. The Committees would entertain discussions with the project sponsor regarding this action during future meetings.

Scaffold Camp Acquisition #2 Project

The Committees received a General Salmon Habitat Program proposal from the Yakama Nation titled: *Scaffold Camp Acquisition #2 Project*. The purpose of the project is to acquire and protect a 1.3-acre parcel of floodplain/riparian habitat at RM 15.7 on the Twisp River. This project, along with the already protected 13-acre adjacent parcel, will not only protect high quality habitat, but it will allow the enhancement of a side channel, which would provide biological benefit for HCP Plan Species. The total cost of the project is \$104,950. The sponsor requested \$94,500 from HCP Plan Species Account Funds. The Tributary Committees elected not to fund this project.

On a technical level, the Committees support protecting the 1.3 acres of floodplain and riparian habitat along the Twisp River. On a policy level, however, this project was not supported by CCT and therefore HCP Plan Species Account funds cannot be used by YN to acquire the property. In an effort to avoid the possibility of the current landowner selling the 1.3-acre parcel to someone who is not interested in the conservation value of the property, the Committees recommend that YN discuss the acquisition of the parcel with other conservation-minded entities such as the Methow Salmon Recovery Foundation, Methow Conservancy, WDFW, or CCT. The Committees would be able to provide funding to one of these entities if the entity is willing to hold the fee title for the parcel and coordinate enhancement work on the property with YN.

Following the funding decision on the proposed project, Brandon Rogers indicated YN will dispute the Tributary Committees' decision and elevate this issue to the HCP Coordinating Committees and HCP Policy Committees. In order to avoid a dispute, members asked Brandon whether YN would be willing to ask another conservation group to hold the fee title for the parcel. Brandon indicated that YN wants to hold the fee title. Members asked Brandon whether the policy representatives from YN and CCT could discuss and resolve this issue without going through the "formal" dispute resolution process. Brandon indicated this will not happen. He said YN will dispute the decision based on principle.

Tracy Hillman reviewed the HCP dispute resolution process with the Tributary Committees. He asked Brandon to provide him with an official letter from YN. He said the letter should include a brief description of the issue under dispute (Scaffold Camp Acquisition proposal), the reason for the dispute, and the reason why YN is disputing the Tributary Committees' decision to not fund the project. Tracy said the letter will provide the basis for initiating the dispute resolution process. Tracy said he will contact Dr. John Ferguson, Chair of the HCP CC and HCP PC, and inform him of the likely dispute. Tracy also asked Tributary Committees members to contact their HCP CC and HCP PC representatives and let them know that they will likely be dealing with a dispute.

VIII. Information Updates

The following information updates were provided during the meeting.

1. Approved Payment Requests from October, November, and December:

Rock Island Plan Species Account:

- \$150.00 to Clifton Larson Allen for Rock Island financial administration in October 2018.
- \$52.50 to Clifton Larson Allen for Rock Island financial administration in November 2018.
- \$19,100.85 to Cascade Columbia Fisheries Enhancement Group for the Chiwawa Nutrient Enhancement Project (September-November).
- \$9,214.35 to Cascade Columbia Fisheries Enhancement Group for the Chiwawa Nutrient Enhancement Project (November-December).
- \$241.67 to Cascade Columbia Fisheries Enhancement Group for the Derby Creek Fish Passage Project.
- \$595.77 to Chelan County Treasurer for the Monitoring Side Channel Design Project.

Rocky Reach Plan Species Account:

- \$150.00 to Clifton Larson Allen for Rocky Reach financial administration in October 2018.

- \$52.50 to Clifton Larson Allen for Rocky Reach financial administration in November 2018.
2. During the October meeting, Becky Gallaher asked the Committees how long she should retain documents related to projects funded by the Committees. She indicated she has documents (including payment requests, contract amendments, communications, etc.) for every project funded by the Committees. Several of these projects have been closed for many years. The Committees recommended that Becky check with Chelan PUD's Public Records Department to see whether the Committees should retain the documents indefinitely or if the Committees can remove documents after a certain period of time. Becky reported she only needs to keep records for the past six years. Records older than six years can be destroyed.
 3. Tracy Hillman reminded the Committees that Steve Kolk (Bureau of Reclamation) would like to discuss possible teaming opportunities to fund and implement large-scale enhancement projects. Tracy said Steve would like to meet with the Committees early next year to discuss teaming opportunities. The Committees agreed to invite Steve to the January meeting.

IX. Next Steps

If necessary, the next meeting of the Tributary Committees will be on Thursday, 10 January 2019 at Grant PUD in Wenatchee.

Meeting notes submitted by Tracy Hillman (tracy.hillman@bioanalysts.net).