



State of Washington
DEPARTMENT OF FISH AND WILDLIFE

Mailing Address: 600 Capitol Way N · Olympia, WA 98501-1091 · (360) 902-2200, TTY (800) 833-6388
Office Location: Region 2 Office · 1550 Alder St. N.W. • Ephrata, Washington 98823 • (509) 754-4624 FAX (509) 754-5257

September 18, 2014

Michelle Smith
License and Environmental Compliance Manger
Chelan County PUD No. 1
P.O. Box 1231
Wenatchee, WA. 98807-1231

Subject: Washington State Department of Fish & Wildlife comments on potential modification to Lake Chelan Lake Level Management Plan and Non-Capacity License Amendment for the Lake Chelan Hydroelectric Project (FERC No. 637)

(Submitted electronically)

Dear Ms. Smith:

The Washington Department of Fish and Wildlife (WDFW) appreciates the opportunity to review and comment on recommendations for the potential modification to Lake Chelan Lake Level Management Plan and Non-Capacity License Amendment for the Lake Chelan Hydroelectric Project. The following represents WDFW's comments and recommendations.

WDFW is mandated to,

“Preserve, protect, perpetuate, and manage the wildlife and food fish, game fish, and shellfish in state waters and offshore waters ...in a manner that does not impair the resource...consistent with this goal, the department shall seek to maintain the economic well-being and stability of the fishing industry in the state. The department shall promote orderly fisheries and shall enhance and improve recreational and commercial fishing in this state.”

Consistent with this charge, WDFW reviewed Chelan PUD's letter dated July 22, 2014 requesting Settlement Party position for a potential modification to Lake Chelan Lake Level Management Plan and Non-Capacity License Amendment. The letter identifies a request from the City of Chelan and Lake Chelan Community to investigate a permanent increase to the October 1 target elevation.

Over the past year WDFW representatives have in good faith attended meetings with Chelan PUD and the other settlement parties, and have provided comments on this matter. We agreed to look at the available information and attempt to determine if there was a clear way for the lake

level target dates to change that would not upset the delicate resource issues balanced by the existing operating regime. In our preliminary evaluation of facts related to this process, we have noted several significant concerns with the proposal.

Some of those specific concerns are:

1. Holding lake levels high for long durations during fall months could increase the frequency and magnitude of spill into the Chelan River during those months and could jeopardize fish populations, habitat and the newly created Chelan River Habitat Channel.
2. Keeping the lake at a higher level in the fall could result in accumulation of additional alluvial deposits at the tributary mouths making it difficult to keep fish passage open at these areas without an engineering solution. These deposits have the potential to completely impede or delay fish passage for spring spawning species such as Cutthroat that are indigenous to the lake. Later spawning means fry emerge later and young of the year enter the winter at smaller size which can have negative effects on survival.
3. Higher lake levels can cause continued shoreline erosion which may have the unintended consequences of increasing requests for Hydraulic Project Approval Permits for bank protection.
4. Additional investigative studies of the many potential impacts, such as those above, would need to occur before our concurrence that changing the lake level management regime would be consistent with balancing the resource objectives of the existing license.
5. WDFW does not have the staff resources to support such comprehensive investigative work, nor are we currently directing sufficient resources to participate in a FERC amendment process.
6. We have concerns on the precedent this could set for additional requests to amend the license over the term.
7. Changing current agreed upon operations could jeopardize delicately balanced resource objectives and other Parties' support for the settlement agreement.
8. If the proposed request moves forward, the Settlement Parties will need to meet, identify all the potentially affected issues, agree on the necessary studies and subsequent results, and negotiate to find a balanced solution which was already completed through relicensing.
9. There is no guarantee that identified studies, if adequately funded, conducted and evaluated by the Parties, would result in concurrence with the proposal to reset the lake level consistent with desires of the City. Based upon the prior process, there is every reason to believe that a date less advantageous to the City than that in the current license could in fact be what the data indicates to the Parties.
10. There may be other avenues for owners of stranded docks to obtain permits to make temporary modifications, such as placement of mooring buoys, or more permanent dock extensions in order to extend the time of lake access for boats. Beaches may be further enhanced to make them usable at lower lake levels. WDFW is willing to consider streamlining permitting for these site-specific options, especially if they involve similar

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or uniform designs. These suggested solutions provide avenues which may address many of the needs identified by the City, without the investment of time and funds, nor the impacts to the myriad of natural resources that changing the lake level management would likely impact.

In conclusion, WDFW is pleased with the progress the PUD is making on implementing requirements from the settlement agreement to benefit fish, wildlife, and habitat resources. However, we cannot at this time support a modification to Lake Chelan Lake Level Management Plan and Non-Capacity License Amendment based upon the limited information and effects evaluation data currently available. Additional questions or comments related to the project should be directed to WDFW staff Graham Simon. Please contact him at (509) 662-0503 or by email graham.simon@dfw.wa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Brown', with a long horizontal line extending to the right.

Jim Brown
North Central Region Director

cc:

Justin Allegro, Energy Policy Lead, Renewable Energy Section Manager
Graham Simon, WDFW Habitat Biologist
Matt Monda, WDFW Region 2 Wildlife Manager
Jeff Korth, WDFW Region 2 Fish Program Manager
Carmen Andonageui, WDFW Region 2 Habitat Program Manager
Kari Grover-Weir, USFS Chelan District Ranger
Bob Rose, Yakama Nation, Toppenish, WA
Charlie Mckinney, Ecology Water Quality Program, Yakima, WA
Stephen Lewis, USFWS, Wenatchee