

# Rocky Reach Wildlife Forum (RRWF) Meeting Minutes

Date: March 5, 2014  
Time: 10:00 pm – 12:00 pm  
Location: Chelan PUD Headquarters, Wenatchee, WA  
2nd Floor Conference Room

Call in number: (509) 661-4844, Password is 4000.

Meeting called by: Von Pope, Chelan PUD

Type of meeting: RRWF Meeting

Note taker: Kelly Cordell-Stine

## Representatives

Name	Agency	Phone	Email
Ellis, Erik (via phone)	BLM	(509) 665-2100	edellis@blm.gov
Pope, Von	Chelan PUD	(509) 661-4625	von.pope@chelanpud.org

## Participants

Name	Agency	Phone	Email
Fox, Ron	WDFW	(509) 665-3383	ron.fox@dfw.wa.gov
McCarty, Jesse	USDA-FS	(509) 784-4630	jmccarty@fs.fed.us
Osborn, Jeff	Chelan PUD	(509) 661-4176	jeff.osborn@chelanpud.org
Cordell-Stine, Kelly	Chelan PUD	(509) 661-4762	kelly.cordell-stine@chelanpud.org

Meeting Purpose: Meeting of the Rocky Reach Wildlife Forum to continue Rocky Reach license implementation

## Minutes

Von Pope welcomed everyone to the Rocky Reach Wildlife (RRWF) meeting and informed the group that there would be no voice recording due to Deb Bitterman's absence.

Introductions- Members and Participants present introduced themselves; Erik Ellis participated via a conference line.

### Update on Action from Ute Ladies' Tresses Subcommittee

Von added to the agenda an update regarding a statement of action from the Ute Ladies' Tresses Subcommittee in an email to the RRWF on 2/26/2014. The email stated that "The Ute Ladies Tresses Subcommittee (ULTS) will also be passing on a letter for RRWF approval to modify the 5-year survey requirement for Ute ladies' tresses." Von wanted to update the RRWF that the ULTS will not be bringing forth a letter for approval after all.

After further consideration and consultation with the Chelan PUD Licensing and Compliance Department, it seems premature to request any modification at this time. Rather, Chelan PUD will continue to conduct annual monitoring as required and the ULTS will consider information collected during the next 4 years to guide any potential changes prior to the next scheduled 5-year monitoring effort in 2018. A larger data set will help to better guide any decisions regarding future monitoring effort.

### City of Entiat Marina proposal

On 12/30/2013, Von sent an email to the RRWF to inform agency representatives that the City of Entiat had filed a Joint Aquatic Resource Permit Application (JARPA) for a 65-slip marina development on Rocky Reach Reservoir adjacent to the City of Entiat on the Chelan County side of the Reservoir. The scope of the project will also require FERC application and approval, as required by Chelan PUD's Rocky Reach FERC license, because the marina project is greater than 10 slips and is located within the Project Boundary. Additionally, Chelan PUD owns some of the land along the shoreline where this project would be located, and as such, would need to provide a Use Permit to the City of Entiat for those lands if the project is approved. Prior to FERC application for approval, the JARPA permitting process would need to be completed and all permits acquired by the project proponent.

At this time, it is estimated that the JARPA process may take a year or more to complete. Von noted that the RRWF was not the venue for comment on the proposed project, and encouraged agency representatives to contact

their appropriate internal permitting contacts to forward any comments regarding the proposed project to the proper agency lead. Jeff Osborn stated that projects such as these are shared with the appropriate forums in order to inform agencies of what projects are on the horizon so that people are aware and can consult with the agencies regarding any comments or concerns. Once the JARPA process is completed, the RRWF will be asked to review the proposed action with regard to any conflicts with the Rocky Reach Wildlife Management Plan.

Rocky Reach Wildlife Habitat Management Plan (RRWHMP)

The current RRWHMP (Plan) expires on 9/22/2015. Von stated that it was time for the RRWF to decide whether to proceed with drafting a new 5-Year Plan for early submittal to the FERC for approval, or wait to file sometime nearer the current 5-Year Plan expiration date. The risk to waiting until the current Plan expires is that the payment agreements for each agency (USFS, WDFW and BLM) expire soon after the Plan, in December of 2015. The Payment Agreements would have to be modified in order to continue working under the current Plan in 2016 while awaiting approval of the new Plan, which will require a second modification to the Payment Agreements if approved. Von drafted a timeline diagram of the two options on the whiteboard (see attached). Option 1 is a timeline for drafting a new 5-Year Plan in 2014 for submittal in early 2015. Option 2 is for drafting a new 5-year Plan in 2015 and modifying the Payment Agreements. After some discussion, the RRWF members decided it would be wise to pursue Option 1 and, in the event of a setback or other unforeseen circumstances, the RRWF could fall back upon Option 2 if needed. Under Option 2, the Payment Agreements can be extended if there is still money available. If the money runs out under the Payment Agreement, then Von will have to go the Commissioners to ask for more money and justify the work. The real risk of Option 2 would be the stoppage of work due to a lack of funds.

Option 1 gives agencies approximately 8 months to draft a plan with projects for the next 5 years. Project budgets and schedules will be necessary for proposed projects. However, the detailed budget information would not be included in the 5-Year Plan, but will be required for the new payment agreements. We will try to roll-up budget level information to allow for flexibility but still be able to track progress.

**Draft 5- year project proposals from the USFS, WDFW and BLM need to be submitted by RRWF members to Von Pope on August 29, 2014 in order to meet deadlines and receive FERC approval before the current Plan expires.**

Von stated that the 5-Year Summary for the current Plan will also have to be drafted, and that Von would be drafting this document. The 5-Year Summary for the current Plan and the Draft project proposals for the next 5-Year Plan should be put out for review prior to the next meeting, October 1 2014. This will facilitate discussion so that both the Summary and the new 5-Year Plan can be submitted for 30 day review by the RRWF in time for submittal to the FERC by early January 2015.

Von reminded everyone that the budgeting sheets are available on the website for planning purposes, and Rosana Sokolowski regularly sends the link out to RRWF representatives. Also, the License Order and Settlement Agreement are available online for reference. These can be accessed at: <http://www.chelanpud.org/rocky-reach-implementation1.html>. Additionally, hard copies of the Settlement Agreement and Comprehensive Plan are available if RRWF members wish to have a copy on their bookshelf for reference. Please contact Von Pope to obtain a hard copy.

Some discussion followed regarding the Settlement Agreement (defines funding levels) and the Final License order (specifies projects will be detailed in 5-Year Plans approved by the FERC). When drafting projects for the new Plan, please remember that projects should not include maintenance, levels/measures of success, or regular monitoring. Inclusion of these types of activities requires those lands to be brought into the project boundary, which are then subject to the FERC oversight for every activity. However, one-time or phased projects (i.e., field restoration) are allowed. The language in the Rocky Reach license is clear:

*Where such habitat improvements require annual or periodic maintenance to ensure their success, the lands subject to these habitat improvements shall be brought into the project boundary and shown on the exhibit drawings filed pursuant to Article 203 (License Order, page 52 – 53).*

Eric Ellis inquired whether the issue of using agency matching funds for maintenance or monitoring of projects outlined in 5-Year Plans was resolved. Von stated he thought it was OK for agencies to request reimbursement for labor used to monitor habitat improvement measures, but would double-check on that.

The issue of building in contingency projects for the next 5-Year Plan was discussed. Greater flexibility will occur for these if the projects are included in the Plan as extra projects and not titled as “contingency” projects (“contingency” projects are subject to FERC approval and can delay response time). For example, an agency could write in a general project for post-disturbance treatment for seeding/erosion control and replanting, and in the event of a fire or other disaster. If approved by the FERC in the new plan, this project could be initiated by the agency and reimbursed using the standard process.

The hardest part in writing these extra projects is budgeting for them, as it is difficult to predict disasters and correctly budget for the other planned projects. However, building projects like these into the new plan will offer greater flexibility in the event of wildfire or other unforeseen circumstance. Von stated that there is a fair amount of flexibility, as long as the plans are within the guidelines and scope of the License Order and Settlement Agreement (no buying of tractors, property, or “gifting” of public funds). Von reminded RRWF members that the Noxious Weed Control funds were also available to respond to events on an annual basis through the RRWF’s Integrated Terrestrial Invasive Plant Control Plan (ITIPCP).

Jesse McCarty inquired what might happen if projects outlined in the 5-Year Plan were not completed. Von responded that as long as it was explained in the summary, and the status of each project was outlined, FERC should be OK with that. Outline what got done, its status, what didn’t get done, and why it wasn’t done will be important. The real issue with projects not getting completed is related to the PUD’s annual budget, where projects are budgeted for but not completed. Much of these variations can be managed in our biannual planning meetings. Von reminded the RRWF that the money allocated to fund projects isn’t a “use-it-or-lose-it” but is governed by the 5-Year Plans and the Payment Agreements.

#### **Action Items**

- The due date for RRWF members to submit a draft of projects for the new 5-Year Plan to Von will be August 29, 2014.
- RRWF members who wish to comment regarding the City of Entiat’s application for the marina development should contact their respective agency permitting representatives.
- Von Pope will pull together information from variance forms and will be contacting RRWF representatives in order to draft the 5-Year Summary for the current plan to be submitted to the FERC along with the new 5-Year Plan.
- Von will inquire regarding use of RRWF member agency matching funds to conduct any maintenance or monitoring associated with projects outlined in 5-Year Plans.
- Von will inquire by 3/31/2014 regarding FERC flexibility for the new 5-Year Plan in order to avoid a lengthy approval process for “contingency projects”

#### Next Steps:

The next RRWF meeting is scheduled for October 1, 2014 from 9:00 am to 12:00 noon

# Timeline for New 5-Year Plan & 5 – Year Summary

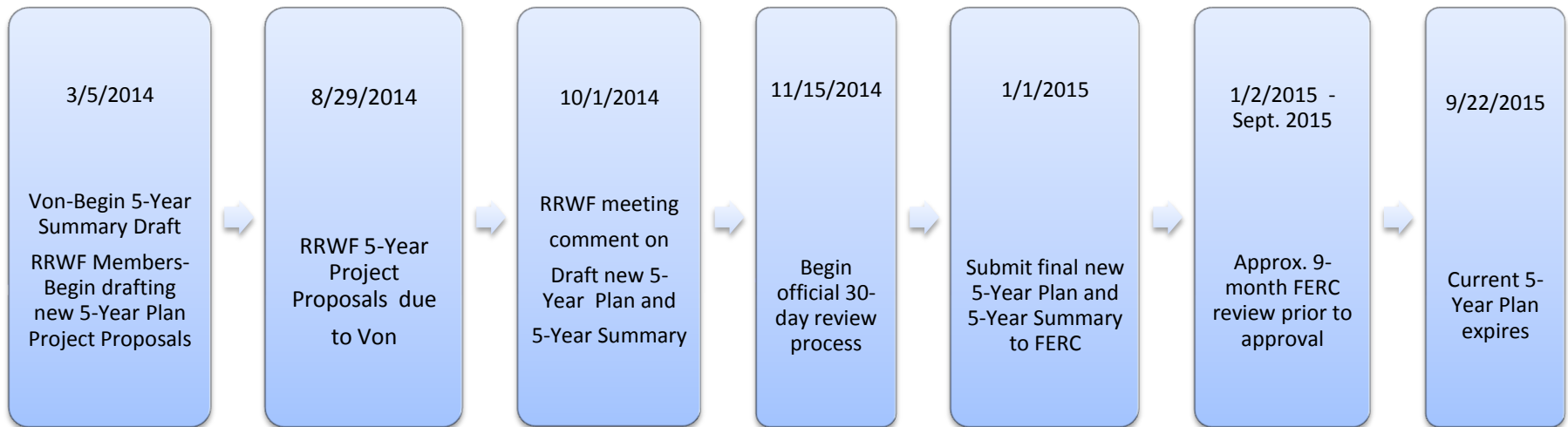
---

**Option 1: Draft New 5-year Plan and 5- year Summary in 2014, and submit for FERC approval in early 2015, well before Current Plan & Payment Agreements Expire.**

**Pro: Update plan to current conditions and work, build in flexibility**

**Con: Only 8 months to complete**

## Timeline



# Timeline for New 5-Year Plan & 5 – Year Summary

---

**Option 2: Draft New 5-Year Plan and 5 – year Summary during 2015 for submittal at or near the current Plan expiration date of 9/22/2015; requires extension of current Payment Agreements.**

**Pro: More time to think about and draft new 5-Year Plan**

**Con: Payment Agreements expire, may run out of \$\$ depending on payment agreement allocations, chance of work stoppage due to lack of funds/expired Payment Agreements, operating under outdated plan (projects may not align with current needs).**

## Timeline

