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AGENCY SCOPING MEETING

September 7, 2011

9:00 a.m. - 12:00 p.m.

Juneau Ranger District Conference Room

8510 Mendenhall Loop Road

Juneau, AK 99801

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ATTACHEMENTS

Juneau Hydropower sign in sheet
Scoping Meeting Registration Forms

1 M E E T I N G

2 MS. MARSHALL: We have an emergency exit right
3 there. We leave the building and go down and meet
4 down by the flagpole. We're not expecting an
5 emergency, but just in case. And if you have any
6 questions or needs, just let any -- me or my staff
7 know. You going to do introductions?

8 MR. MITCHELL: Sure. Thanks.

9 MS. HARPER: Oh, before we get started, I need
10 to talk about the court reporter.

11 MR. MITCHELL: Okay.

12 MS. HARPER: Okay. Hi, everyone. Jen Harper
13 from FERC, I hope I got a chance to meet all of you.
14 Just a couple of quick things. Because this is going
15 on the record, we do have a court reporter here. So,
16 when you have a question to ask or a comment to make,
17 if you could please state your name clearly so the
18 court reporter can get that. That would help out
19 with making sure that we have a good transcript for
20 the meeting today. Shall we do introductions now?

21 MR. MITCHELL: Sure.

22 MS. HARPER: Okay.

23 MR. MITCHELL: Sure. I'm Duff Mitchell with
24 Juneau Hydropower. I'll introduce -- we have several
25 people who were going to be here today, but they're
26 out in Gilbert Bay trying to come back. So, they
27 will hopefully be at our evening meeting, so I'll

1 have a little support. But we're in good company. I
2 also have Cathy Needham with Kai Environmental, and
3 one of her staff here, that will be assisting us with
4 the wildlife component studies. So, Cathy's here
5 with us. And Jen, I -- would you like to introduce
6 FERC and then we could go around the room? Or.....

7 MS. HARPER: Sure. Again, I'm Jen Harper; I'm
8 with the Federal Energy Regulatory Commission. I'm
9 an engineer in the D.C. office in the northwest
10 branch. And I'm coordinating this project for our
11 branch. Pass it off to Dianne.

12 MS. RODMAN: I'm Dianne Rodman; I'm also in the
13 northwest branch. I'm the terrestrial biologist that
14 will do botany and wildlife on this project.

15 MR. SMITH: I'm Ian Smith, northwest branch
16 FERC; I'm the fisheries biologist for the region.

17 MR. BROOKS: Good morning, I'm Keith Brooks.
18 I'm with the Office of General Counsel; I'm the
19 attorney on the project.

20 MR. MITCHELL: Okay. Maybe we can start back
21 with Randy.

22 MR. VIGIL: My name is Randal Vigil with the
23 U.S. Army Corps of Engineers; I'm with the Juneau
24 Regulatory Field Office.

25 MS. DROBNICA: My name is Angel Drobnica; I'm
26 with the Southeast Alaska Conservation Counsel. I'm
27 the energy coordinator.

1 MR. JOHNSON: Shawn Johnson; Alaska Department
2 of Fish and Game, I'm the stream flow coordinator for
3 Southeast Alaska.

4 MS. ANDERSON: Ellen Anderson; I'm the botanist
5 for Juneau, Yakutat, and Admiralty National Monument
6 districts.

7 MR. ANDERSON: Jim Anderson with the land
8 section of Mining Land and Water with DNR.

9 MR. DEATS: Ted Deats with the water resources
10 section with the Department of Natural Resources.

11 MR. MITCHELL: Then we've got Marti and we can
12 go down.

13 MS. ADAMS: I'm Barbara Adams; I'm the fishery
14 biologist here at the Juneau District and Admiralty
15 National Monument.

16 MS. BERGER: Hi, I'm Jen Berger; I work here for
17 Admiralty Island National Monument and Juneau Ranger
18 District with special use permitting lands,
19 wilderness, heritage.

20 MR. SCHWARZ: I'm Terry Schwarz; hydrologist
21 with the state.

22 MS. FISHER: Evelyn Fisher; as Duff mentioned,
23 I'm here with Kai Environmental.

24 MR. CASE: I'm Jim Case; I'm a Permit
25 Administrator with the Juneau and Admiralty
26 Districts.

27 MR. MANNING: I'm Joe Manning; I'm the Mineral

1 Administrator with the minerals group on the Tongass.

2 MR. MILLER: My name is Monte Miller; I'm the
3 Statewide Hydropower Coordinator for the Alaska
4 Department of Fish and Game.

5 MR. MITCHELL: And we have Clyde, our reporter.
6 And if Clyde needs to ask you to raise your voice or
7 whatever, so that he can get a good record, you know,
8 he's not being rude; he's just trying to get his job
9 done. So, with that, this is the -- thank you for
10 the introductions, everybody. I appreciate everyone
11 being here.

12 This is the agenda that we've crafted out.
13 We'll try to expeditiously go through the process
14 with the different elements. I do want to make it
15 informal enough that if anyone has any questions or
16 would like to make comments during the process, that
17 you're comfortable. Feel willing to do so.

18 Just quickly, we did the welcome and the
19 introductions. We'll go into the project
20 description, the overview, the scope of the
21 cumulative effects, which FERC will handle. We'll
22 cover potential studies with time permitting. And
23 then we'll take audience comments and questions. And
24 then we'll have Juneau Hydropower and FERC closing
25 comments. I'll go through some of the people that we
26 didn't have with the introductions; this is just some
27 of our contractor team.

1 You've been introduced to Cathy, but we've got
2 Koren Bosworth with Botanical Consulting doing our
3 wetlands and our botany areas terrestrial. We have
4 Lachel and Associates doing our engineering and
5 tunnel engineering, dam engineering. We have Civil
6 Science doing our hydrology and our stream gauging.
7 And we have Cardno Entrix and SWCA who will be
8 assisting me in the overall NEPA preparation. And we
9 haven't selected a fisheries contractor at this
10 point, but we're getting there. We've introduced the
11 FERC team. And then did you want to cover, maybe, a
12 little bit of an alternate?

13 MS. HARPER: Sure. Okay. So, has everyone here
14 been involved with the FERC licensing process before?
15 Is there anyone who's new to FERC licensing? Okay.
16 Then I'm going to go through these fairly quickly
17 then. We have a couple of different licensing
18 processes we use. And for this particular project,
19 the applicant, with the agreement of many of the
20 stakeholder agencies, has decided to go with the
21 alternative licensing process. This is a process
22 that allows us to have a more collaborative approach
23 during pre-filing so that we can make sure that a lot
24 of the issues get addressed up front, have a lot of
25 involvement with study plans, and making sure that we
26 have enough information to get to a good application
27 and a good environmental document for our NEPA

1 analysis.

2 Now, again, the whole point is to get as many
3 stakeholders at the table early in pre-filing as
4 possible. And in doing so -- and again with the
5 whole study request, trying to make sure that we know
6 what information we already have, what information we
7 need, and to get study requests taken care of and the
8 studies performed and the data collected so that once
9 the final license application is filed. While we can
10 entertain additional study requests at that point,
11 typically there has to be a very good reason why we
12 would want to do so. So, again, it's important that
13 all of the stakeholders here participate in this
14 early come pre-filing process.

15 And also, with getting all of the agencies,
16 trying to get everybody here talking early in pre-
17 filing, we want to make sure that we get all of the
18 legal obligations for the fisheries, wildlife,
19 historic cultural resources, all of that kind of
20 stuff, taken care of here at the pre-filing. And
21 also, if we do run into a problem with any disputed
22 areas, we would like to have a collaborative approach
23 to sort of get the data and make sure that we handle
24 any disputes up front without having to jump
25 immediately into a dispute resolution process.

26 So, in doing so, what we're going to do is this
27 information is going to come, not only to us here at

1 FERC, but also to Mr. Mitchell, and he will be
2 preparing, as part of his final license application,
3 a Draft Environmental Assessment. And we at FERC
4 will use that as kind of a jumping off point to do
5 our own analysis of the project and the effects. So,
6 again, this is one of those things where we're trying
7 to take care of getting the information that he needs
8 and then we need to do our analysis on top of that.

9 Now, you have a slide that shows the process.
10 So, again, right now, we're in pre-filing; we're in
11 scoping. We're still making sure that we've got all
12 of the issues identified. And as we go through a
13 little bit later on in today's meeting, we'll
14 actually talk about the individual resource areas and
15 make sure that we know -- try to get a good handle
16 now as to what areas need to be concentrated on from
17 a re -- from an information gathering standpoint and
18 what areas maybe we don't need to spend as much time
19 evaluating, because the potential effects for this
20 particular project may not be so great.

21 So, after the scoping, after study plans,
22 they'll be going into the field, collecting data,
23 sharing those results, and preparing their draft
24 license application, which will then be circulated
25 through the group. And then any refinements that
26 need to be made, can be made. And then a final
27 license application with, again the applicant

1 prepared EA, will be filed with the Commission. And
2 then we'll take it from there in terms of our
3 licensing process. Did you have anything you wanted
4 to add at this point?

5 MR. MITCHELL: Not right now.

6 MS. HARPER: Okay. Okay. So, at this point,
7 again, we're in the scoping. We are required to do
8 scoping through NEPA and our own regulations just to
9 make sure that we have identified the issues that are
10 going to be important to this project and making sure
11 that we have the depth of analysis for these issues
12 taken care of.

13 Cumulative effects; if we have any for this
14 project, this is an area where we would bring that up
15 now. If there are any alternatives to the project as
16 it's been presented, this is when we would start
17 discussing those potential alternatives and --
18 reasonable alternatives to the project. And again,
19 eliminate anything that we don't need to spend a lot
20 of time talking about.

21 So, there are a couple of different ways.
22 Again, the meeting's being recorded, we will have a
23 transcript, we have a video recording that's being
24 made by the applicant. If you have any prepared
25 comments, you can file those with the court reporter
26 at the end of the meeting. Also, in the scoping
27 document is his contact information, our contact

1 information. You can file those comments there. You
2 can file them directly with the Commission. We do
3 ask that if you have comments on Scoping Document 1
4 and comments relating from today's scoping meeting,
5 that you make those by October 7th. But again, we're
6 in a very collaborative process. You can make
7 comments at any time. But when we're looking towards
8 the potential preparation of Scoping Document 2, it's
9 nice to kind of have a 30 day window so that we sort
10 of get a sense of, these are comments that are
11 related as a result of what came up during this
12 Scoping Document 1.

13 And again, is there anyone who either didn't
14 bring their copy of Scoping Document 1 or didn't get
15 a copy that would like one? I've got some extra
16 copies here. And again, inside that scoping
17 document, and also in the notice, are the addresses.
18 So, if you want to file with the Commission, we also
19 have an e-filing process that's online. The website
20 explains how to e-file. If you run into any
21 problems, there's a 1-800 number with very helpful
22 staff there that can walk you through how to get e-
23 subscribed and how to e-file.

24 E-subscription; is everyone familiar with e-
25 subscription? You can go onto our website, and
26 basically e-subscribe to this document so that all
27 filings that are made relating to this licensing

1 process, you will receive e-mail notifications of.
2 So, you -- if you're on the mailing list, you don't
3 have to wait for mailing, you can get automatic
4 notification. If you have any questions about that,
5 again, the 1-800 number is very helpful for walking
6 you through that. So, with that, I'll turn it back
7 over. Does anyone have any questions before I turn
8 it back over to Mr. Mitchell? Okay.

9 MR. MITCHELL: Okay. Is -- has there anybody
10 else come on the line besides Joel?

11 MS. STANLEY: Yes. Good morning. This is
12 Barbara Stanley with the Forest Service.

13 MR. MITCHELL: Oh, welcome, Barbara.

14 MS. STANLEY: Hello.

15 MR. MITCHELL: And I notices Richard came in.
16 Richard.....

17 MR. ENRIQUEZ: Yeah, Richard Enriquez; Fish and
18 Wildlife Service in Juneau.

19 MS. HARPER: Hi.

20 MR. MITCHELL: Good to have you.

21 MS. FIRSTENCEL: Heidi Firstencel with the Corps
22 of Engineers here in Juneau.

23 MR. MITCHELL: Good morning, Heidi.

24 UNIDENTIFIED VOICE: Excuse me, Duff, could --
25 would it be possible -- I didn't see a sign-in sheet.
26 But it would be very beneficial. There is one.....

27 MR. MITCHELL: There was one being passed

1 around.

2 UNIDENTIFIED VOICE: All right. Thank you. I
3 just.....

4 MR. MITCHELL: Who all.....

5 UNIDENTIFIED VOICE: It's nice to have that
6 listing after a meeting.

7 MR. MITCHELL: Absolutely. And I can make that
8 -- there's these scoping registration forms that FERC
9 has brought, and they would like to have everyone,
10 also, fill this out. If you can take the time to
11 fill it out, just for a record of your attendance.
12 But the one that's going around will also be used by
13 Juneau Hydropower. And I'll share that with FERC,
14 but it also helps the videographer write down who all
15 was here. And we can make that copy available to
16 everybody.

17 I'll just go quickly through the project. I'm
18 going to go through this, because most of the folks
19 that have been here before at our agency meeting are
20 familiar with the project. But I will -- I'll run
21 through this and then we can get into the heart of
22 the meeting. We're about 30, 35 miles south of
23 Juneau, depending if you take a boat or plane. We're
24 just about eight miles south of Snettisham, which
25 provides most of Juneau's power. This is the project
26 boundary. It kind of has a weird shape at the end
27 there, because those are the two proposed

1 transmission line routes. The project butts up with
2 the Tracy Arm-Fords Terror Wilderness. And the
3 Whiting River is to the north.

4 Here's a satellite photo of the project. As you
5 can tell, the lake is kind of a slender lake in bet
6 -- it really encompasses the valley between two ridge
7 lines. To the top of the -- is -- to the top of the
8 photo is Gilbert Bay and the mud flats and then the
9 creek -- Sweetheart Creek is just south of the
10 Gilbert Bay.

11 Project background; this project has been
12 heavily studied by the United States government.
13 Gauging stations were installed in 1915 and operated
14 through 1927. There was addition Corps estimated
15 monthly runoffs conducted between '28, '32, and then
16 also between 1949 and 1956. The project was site
17 selected in 1929 by the U.S. government as a federal
18 power site classification site, which was signed by
19 then Interior Secretary Ray Lyman-Wilber under Public
20 Land Order 221, dated May 14th, 1929.

21 In the 1952, report to Congress, another depart
22 -- Secretary of Interior -- secretary reported that
23 Sweetheart Lake at Southeast Alaska is an important
24 source of water for potential production of
25 hydroelectric energy. This was in the 1952 report to
26 Congress. In 1958 the USGS conducted a plan and dam
27 site for the project area and the Alaska Power

1 Administration did a Reconnaissance Plan in 1983. We
2 are planning, and based on the previous studies, the
3 project will generate about 30 megawatts with 136
4 gigawatt hours annually. And the rainfall, based on
5 these previous reports is averaging about 115 inches.

6 Project description and features; like I said
7 before, the entire project boundaries are located
8 within Tongass National Forest. Sorry about the
9 lighting, but this is the USGS's 1958 plan and dam
10 site map for the lake and the -- actually they
11 considered the Upper Sweetheart Lake and the Lower
12 Sweetheart Lake in the project. The project -- the
13 reservoir -- the project would impound the Lower
14 Sweetheart Lake. It has a current existing surface
15 elevation of 544 feet. We would raise that to 629
16 feet, and we would increase the acres of the lake
17 from 1,414 to 1,635. This would create a added
18 storage of about 129,693 acre feet.

19 The proposed project would fluctuate the surface
20 elevation impounded -- new impounded reservoir by
21 about 60 feet annually. Here's a picture -- a cutout
22 of the 1958 plan where they would -- where they were
23 proposing to place the dam and then I've overlaid
24 that with the area near the outlet, so you could
25 picture where the dam would be. Those trees are
26 between 50 and 75 feet, and the dam is expected to be
27 about 90 feet high. So, the height is within reason

1 on the map; the distance is not. Trying to do a
2 rectangle with a curved thing, it would be a little
3 bit longer; 500 feet for just reference.

4 We're looking at putting a lake tap, syphon
5 intake into the lake. The exact location is going to
6 be dependent on a couple factors. One, we want to
7 mitigate any false attraction of any fish as well as
8 the engineering considerations. We would run a
9 tunnel through the mountain about 12 foot diameter,
10 and then at the base, we would have a nine foot
11 diameter, about 1,650 feet penstock that would extend
12 to the powerhouse. The powerhouse would be located
13 about 2,000 feet north of the Sweetheart Creek and
14 would have a tailrace. This is just a picture of the
15 Snettisham portal. But this is the concept that we
16 would like to do, is to actually build the facility
17 into the mountainside if the geology allows.

18 The tailrace would be discharging the flows in
19 the Sweetheart Creek. The tailrace would be coming
20 in somewhere and/or near the bottom of this upper
21 falls and would re-enter the creek. That is the
22 barrier falls as we know it, and the fish do go up to
23 that area below the barrier falls. And that's the
24 spawning reach of the anadromous fish.

25 Road and dock; here's a blowup of the proposed
26 dock, as well as the satellite photo. We're planning
27 on -- currently the plans call for about a little

1 over a half mile long road from the powerhouse to the
2 dock landing area that could accommodate boats,
3 seaplane, or helicopter access.

4 And here's the two proposed transmission routes.
5 One is primarily overland and one is completely
6 submarine. The overland would have two submarine
7 components, one across Gilbert Bay and one across
8 Port Snettisham. We're flexible. There's issues
9 related to both. Gilbert Bay is used for commercial
10 crabbing, it's also used for shrimping. Pots -- crab
11 pots can maybe withstand some transmission line, but
12 shrimp, beam trawls -- trawls, do not go very well
13 with submarine cable. And it is a shrimping area.

14 But these are the two alternatives, and we would
15 like to, you know, have agency thoughts, comments, of
16 what route selection we should gauge for. We do have
17 our botanist reviewing the wetlands and the invasive
18 species in the botany areas along the overland
19 transmission route. But we will put more resources
20 toward that overland transmission route if that is
21 the selected route. We would propose to have a new
22 138 kilovolt transmission line, and these are the
23 distance. It'd be 8.9 miles if it's overhead, total
24 length, and 8.4 with the submerged line.

25 Sorry for the crop photo, but this is about
26 where on the Snettisham line we would intersect.
27 This is looking from Port Snettisham across to where

1 the Snettisham line is on the north side of Port
2 Snettisham. And this would -- somewhere in here
3 would be the point of interconnection.

4 The proposed operations; we would supplement
5 energy generated by Alaska Electric Light and Power
6 with their hydroelectric and diesel generation
7 facilities and supplement the town of -- City and
8 Borough of Juneau. We would -- we proposed that
9 Sweetheart Lake hydroelectric project would help meet
10 the CBJ base load that's growing and/or the peaking
11 load, depending on reservoir management and frequency
12 control.

13 Generation would be optimized by following rule
14 curves, reflecting seasonal inflow, spill capacity
15 and draw down limitations. And the final project,
16 and system load configuration, would be determined in
17 further feasibility studies. Again, it would have --
18 the project would have an installed capacity of 30
19 megawatts with an average annual generation of 136
20 gigawatt hours. The powerhouse would also
21 incorporate the ability to manually operate the
22 powerhouse. But the project operation would be
23 monitored and controlled in conjunction with future
24 operating agreements. And I guess what we're saying
25 there, also, is that we would have, probably, even
26 though the thing could be on autopilot as far as
27 working, we would set this up so that it could have a

1 one person crew at the facility all the time.

2 Here's some of the proposed environmental
3 measures, and these are taken from the scoping
4 document. Other -- the geologic and soil resources,
5 we're going to develop and implement an erosion
6 sediment control plan. Make sure the road and the
7 penstock and the areas that we disturb don't cause
8 unnecessary erosion and sediment dripping into
9 Sweetheart Creek or the lake.

10 Aquatic resources; develop and implement
11 downstream fish passes for salmon smolt stocked by
12 the Douglas Island Pink and shams -- Chums Snettisham
13 Hatchery.

14 As most of you know, DIPAC puts in about half a
15 million sockeye annually. It's a put and take
16 fishery. It's been called a no deposit, no return
17 fishery. They deposit them in, the fish cannot come
18 back and spawn. There is sockeye at the base of the
19 barrier falls right now. They're going to keep
20 swimming there until they die, because there's no way
21 for them to procreate. Can't really throw your net
22 in there right now, because the water's so high,
23 it'll probably drag your net down. But there is
24 sockeye out there.

25 The -- we'll design the tailrace to potentially
26 expand the salmon spawning habitat. There is
27 references that we've come to that show that you can

1 design tailraces that actually increase spawning
2 habitat. So, instead of it looking -- the tailrace
3 looking like something that you would see a DIPAC as
4 a tailrace or at Gold Creek, it would be a natural
5 settings with pools and rocks or boulders that would
6 allow salmon spawning habitat to be increased.
7 Develop and implement a Water Management Plan,
8 including scheduled flow releases to sweetheart creek
9 so that it takes care of the life cycles of the fish.
10 And develop and implement a Spill Prevention Control
11 and Containment Plan.

12 Terrestrial resources, environmental meas --
13 proposed environment measures is to develop and
14 implement a Terrestrial Connectivity Plan for
15 wildlife habitat, develop and implement vegetative --
16 Vegetation Management Plan that also include
17 monitoring of invasive species for the life of the
18 project. Preserve as much vegetation as possible
19 and, as necessary, re-vegetate disturbed areas.
20 Construct the powerhouse in ground to minimize
21 wildlife habitat impacts to the extent that it is
22 engineering feasible. Adopt a goshawk raptor nesting
23 protocols around any known goshawk raptor nest to
24 minimize disturbance of nesting pairs and their
25 young.

26 MS. RODMAN: Mr. Mitchell? This is Dianne
27 Rodman.

1 MR. MITCHELL: Hi.

2 MS. RODMAN: I was looking at the pre-
3 application document PAD, and in that document, you
4 said that you would raptor proof any above ground
5 sections and transmission line, depending on which
6 option you went with. Is that still on the table?

7 MR. MITCHELL: Yes, that is. We have researched
8 the protocols for -- and I can't quote you the
9 protocol, but there is a standard for transmission
10 lines. And it's putting -- for one of the things, it
11 was like putting cones on top of the poles so that
12 birds don't want to land on top of the flat surface.
13 So, we would incorporate all up to date protocols to
14 try to mitigate -- or minimize avian a -- what do you
15 call it? Interactions.

16 MS. RODMAN: Okay.

17 MR. MITCHELL: Yeah.

18 MS. RODMAN: So, if the scoping document's
19 revised, you might want to add a bullet for that.

20 MR. MITCHELL: Okay. That was a just neglect of
21 not following through with the PAD, but we can -- we
22 are going to continue avian protection measures.

23 MS. RODMAN: Thank you.

24 MR. MITCHELL: Thank you, Dianne. Threaten an -
25 - a proposed -- continue with the proposed
26 environment measures. Threatened endangered species;
27 there's no PM&E measures proposed for threatened

1 endangered species at this point. We are not aware
2 of any threatened endangered species in the project
3 area. If such time that that is found, then we will
4 obviously readdress that component.

5 Recreation land use, with agency approval, and
6 this would be in collaboration with agencies,
7 especially the Forest Service, and with ADF&G or Park
8 Service that would like this, because we don't want
9 to do something that they don't want to -- that you
10 would like us not to do.

11 But we would be willing to construct and
12 refurbish the trails to and around the Sweetheart
13 Creek anadromous reach area from rock removed from
14 the tunnel construction for the seasonal sport and
15 subsistence fishermen harvesting the Sweetheart Lake
16 area. The trails are extremely muddy. They are
17 erosion right now just through use, and that's
18 something we would consider as the applicant.

19 Cultural resources; the potential cultural
20 resources PM&E measures will be identified evaluating
21 following determination of the project related
22 effects. We have hired a cultural and archeological
23 contractor, Mark Pipkin. And he will be going out
24 there this spring.

25 Aesthetic resources; develop and implement a
26 Scenery Management Plan. To the extent that it's
27 feasible, construct the powerhouse in ground to

1 mitigate minimize aesthetic and sound impacts and/or
2 use reclaimed rock from the tunnel to actually create
3 a mound around the entrance so that you can't even
4 see the entrance of the portal. But it also tries to
5 block the scenic disturbance as well as any sound.
6 And also, would keep -- this mound may also help
7 avoid any wildlife interactions. Design the tailrace
8 to blend with the existing habitat at Sweetheart
9 Creek. Not only blend, but as I pointed out earlier,
10 to increase the spawning habitat.

11 Construct the powerhouse access road and
12 transmission line from the dock to the powerhouse
13 behind the shore side tree line to minimize aesthetic
14 impacts. Develop and implement a Hazardous
15 Substances Plan.

16 MS. ANDERSON: Duff, would you be vegetating
17 that mound?

18 MR. MITCHELL: Yes, we would vegetate it with
19 either a compost material or something so it would
20 re-seed -- we would seed that, also, to help -- yeah.
21 So, it would be natural, not different trees that
22 what -- you know what I mean? It would be naturally
23 surrounded.....

24 MS. ANDERSON: Native.

25 MR. MITCHELL:yeah, native. The
26 socioeconomics; our proposed environmental measures
27 is to identi -- they'll be identified and evaluated

1 following determination of project related effects.
2 We have a -- we'll address some more on social
3 economics later, what we plan on doing. Additional
4 plans and measures proposed, develop and implement a
5 Fire Prevention Plan, develop and implement Safety
6 During Construction Plan that would include
7 wildlife interaction avoidance and safety -- and
8 their safety components.

9 Alternatives to the proposed action; the
10 Environmental Assessment will consider and analyze
11 all recommendations for operation or facility
12 modifications, as well as for PM&E measures
13 identified by Commission staff, federal and state
14 resource agencies, Native Alaskan tribes, NGO's, and
15 the public. Under the no action alternative, the
16 Commission would deny a license for the proposed
17 Sweetheart Lake Hydroelectric Project. The project
18 would not be built and there would be no change to
19 the existing environment. The no action alternative
20 is the Commission's baseline -- baseline's
21 environmental conditions for comparison with other
22 alternatives. And this is the scope of cumulative
23 effects. Come over to Jen.

24 MS. HARPER: Thanks. Again, Jen Harper with
25 FERC. Currently in Scoping Document 1, no cumulative
26 effects for the project have been identified. And a
27 cumulative effect is an incremental effect that's

1 based on what the action of -- this particular action
2 constructing and operating the project would do when
3 added to other past, present, and reasonably
4 foreseeable future actions. So, for instance, if you
5 knew that another project was going to be installed a
6 couple miles down the stream, there could potentially
7 be cumulative effects. So, as of right now, no
8 cumulative effects have been identified. But again,
9 this is the opportunity, if you see or know of
10 anything, that you we would address that.

11 MS. ANDERSON: I have a question.

12 MS. HARPER: Can you identify yourself?

13 MS. ANDERSON: Ellen Anderson. So, it sounds
14 like you have a very narrow parameter that you're
15 going to consider cumulative effects in, is that --
16 because Snettisham just right up the way. So, it
17 seems like that's another activity that's currently
18 going on. And then.....

19 MS. HARPER: And that's eight miles away? Is
20 that.....

21 MS. ANDERSON: Yeah.

22 MR. MITCHELL: Yeah.

23 MS. ANDERSON: I don't know, and just because in
24 botany, we consider the whole -- what happens on the
25 whole forest, how it could generally affect the
26 overall system.

27 MS. HARPER: Uh-huh (affirmative).

1 MS. ANDERSON: So, it just seemed like a pretty
2 narrow scope. Maybe that's all you have to do for
3 the.....

4 MS. HARPER: For each of the.....

5 MS. ANDERSON:hydro project, not the
6 botany part, maybe.

7 MR. VIGIL: What are your area for your scope of
8 analysis, actually? Could you define that a little
9 bit more.

10 MS. HARPER: Can you identify yourself for the
11 court reporter, please?

12 MR. VIGIL: Yes. My name's Randal Vigil with
13 the United States Army Corps of Engineers regulatory
14 program.

15 MS. HARPER: Thanks. When cumulative effects
16 are identified, you can actually have a different
17 scope for each resource area. And so, as cumulative
18 effects come up, the scope is tailored toward that
19 particular one, because you may not have the area of
20 effects for one resource area that you would for
21 another. So, if you were concerned that there were
22 botanical effects, then the scope of cumulative --
23 the temporal range could be conceivably different
24 than, say, for marine mammals or any other resource
25 area that would be identified. And that's something
26 that, again, through the scoping of the issues, that
27 we would want to identify. So, Dianne, did you have

1 anything that you wanted to.....

2 MS. RODMAN: Not rea -- this is Dianne Rodman
3 with FERC. If you are thinking about potential
4 things that should be looked at in conjunction with
5 this proposal, please consider the upstream area, if
6 there's going to be land disturbing activities or
7 past mining or something that would affect water
8 quality or increase sedimentation in conjunction with
9 building a hydro project. I don't know too much
10 about the Snettisham project. What watershed is that
11 in?

12 MS. ANDERSON: I don't know. It's just kind of
13 like around the corner, though. So, that.....

14 MR. MILLER: It's a bore out of the lake over
15 there that comes down to the tidewater. It's a
16 federal project that was built back in the 1970s.

17 MS. RODMAN: It would probably be helpful if we
18 could get more information about it. whether we
19 eventually decide to include that in our analysis or
20 not, you can't make that decision unless you have the
21 information to start with. One other thing I'd like
22 to point out to the other agencies is some agencies'
23 policies is that you look at cumulative effects
24 automatically for every resource. And we don't do
25 that. We find that there are many of our actions
26 that may have a cumulative effect on one resource and
27 none of the others. And we are trying to keep our

1 Environmental Assessments or analysis leaning to me,
2 so we would not have a cumulative resource section
3 for cultural resources or something like that. If we
4 looked at it and said, there's nothing there, we
5 wouldn't even waste that much space on the document.
6 Because our documents can get really hefty to begin
7 with. Does anybody have any questions about that?
8 Okay. Great. Thank you.

9 MS. HARPER: Okay. So, in Scoping Document 1,
10 several areas have been identified. Is -- in terms
11 of resource issues that will be looked at through the
12 Environmental Assessment process. One of the first
13 ones is geology and soils. And if you're following
14 along in your document, that is page.....

15 MS. RODMAN: 26.

16 MS. HARPER:thank you, Dianne, page 26.
17 So, and again, this is sort of where we can discuss
18 these things and which ones do we need to pay more
19 attention to, which ones not so much. First off, the
20 effects of project construction and operations on
21 geology and soils resources. And a little bit more
22 specifically, reservoir shoreline erosion and bank
23 stability. Again, the project is projected to
24 fluctuate 60 feet, is that correct? So, definitely,
25 that's one of the resource areas in geology that
26 would want -- we would want to look at. The effects
27 of project construction operation on existing mineral

1 claims and mining areas. And the effects of the
2 transmission line construction on geology and soil
3 resources. So, are there any other issues within
4 geology and soils that need to be added to the list?

5 MR. MANNING: I have a question here.

6 MS. HARPER: Sure.

7 MR. MANNING: Joe Manning with Tongass Minerals
8 Group. We're just sort of wondering where you plan
9 to put the waste rock from the excavation through the
10 mountain, assuming -- well, there's a potential for
11 the waste rock to be acid generating. I know that
12 hasn't been evaluated yet, but assuming it is acid
13 generating, what are your plans for the waste rock?

14 MR. MITCHELL: We plan on -- you know, and I
15 don't -- you know, the acid generation aspects would
16 obviously impact what I'm about to say, but we're not
17 building a road to the site. We will try to
18 cannibalize some of the tunnel rock, if we can, if
19 it's of sufficient grade and proper quality for
20 actually some infrastructure up at the top side.
21 We'll also use it, obviously, for that mound and any
22 small amounts for a trail. The rest of it would
23 either be impounded there for future removal or we
24 would remove it. We haven't done the analysis, and
25 obviously it's going to be predicated on what we can
26 use and what we can't use.

27 MS. HARPER: So, in terms of this scoping

1 document, do you want evaluation of the acid
2 potential?

3 MR. MITCHELL: Absolutely.

4 MS. HARPER: Okay.

5 MR. VIGIL: And one more thing. This is Randy
6 Vigil with the Corps of Engineers once more. Our
7 concern would not only be with regard to acid rock --
8 you know acid being generated from rock that's being
9 excavated. But we'd also be concerned with how --
10 where exactly you're going to dispose of this
11 material, whether it's -- you're proposing to use it
12 for trails and mentioning whether or not those would
13 be acquired resources that would require permitting
14 from us. Or whether you propose to just dispose of
15 it in an aquatic resource. We prefer -- we wouldn't
16 want to see that. But we would -- I think you need
17 to address that.

18 MS. HARPER: Okay. So, add a line item in
19 disposal of all.....

20 MR. VIGIL: And how are we going to be.....

21 MS. HARPER:excavation. Okay.

22 UNIDENTIFIED VOICE: And for temporary and
23 permanent.

24 MS. HARPER: Okay. Okay. Yes?

25 MR. MILLER: Monte Miller, Fish and Game. Rock
26 coming out of one end is one concern. Rock going in
27 to construct your dam features is another. Have you

1 identified borrow areas and identified any potential
2 impacts to those, you know, and wherever that rock is
3 coming from, if it's outside the system or within
4 there, the impact to the aquatic resources in that
5 area?

6 MR. MITCHELL: That's a good question. Because
7 we're not building a road and we are not going to be
8 able to do -- haul trucks up, we're going to try to
9 use local borrow areas in or around the lake that
10 would be of a suitable rock for the infrastructure.

11 MR. MILLER: Would those lake -- or those areas,
12 then, be submerged by the rising of the lake?

13 MR. MITCHELL: They may. They may or may not.
14 At this time, it's not determined. We do have
15 geology and engineering folks actually tra -- going
16 up to the site this month to kind of look at those
17 aspects. So, at this time, I don't have a clear
18 answer, because I -- you know, we just need to -- we
19 need to do some more evaluation of that.

20 MR. MILLER: Some very good geological work
21 needs to be done if you do identify those, because if
22 those areas are under the inundated area, then
23 whatever leaching from that rock, be it acid or
24 things like arsenic, which is a problem in the
25 Columbia River system, wherever they, you know, do
26 rock, it is a concern. An example would be the third
27 powerhouse installation at Grand Coulee Dam went into

1 some very good bedrock.

2 Unfortunately, the entire system from there up
3 through the Canadian side, whenever you disturb the
4 rock, arsenic is leached into the system. It has
5 caused an exceedence of arsenic levels in localized
6 drinking water within the -- in that system for,
7 like, the City of Grand Coulee and Coulee Dam. Even
8 30 to 40 years after that rock is disturbed, it
9 continues to leach. I don't know if the properties
10 of the rock in this area would have those effects or
11 not. But that is something else that needs to be
12 addressed in the geology.

13 MS. HARPER: Okay.

14 MR. MITCHELL: Yeah, and at this point, I was at
15 the forest -- the USGS did a wonderful amount of
16 geological work in the area when they did the Terror
17 Ford's Wilderness Area, and it's listed as a
18 reference in a lot of samples and a lot of
19 understanding of what's in that area. From what I
20 understand is that the area is within the same
21 general resource -- or geological as the ci -- as the
22 rest the City and Borough of Juneau on the mainland.
23 We're not -- so, whatever exists already on the
24 mainland is -- we are likely to find existing at the
25 Sweetheart.

26 As far as the exact acidification type of rock
27 or if we find a borrow site that maybe we -- it would

1 be good rock to use, but maybe it's not such a good
2 idea for the water quality issues, you know those
3 issues will definitely be considered to ensure that,
4 you know, this leaching matter is taken care of -- or
5 not taken care of, or mitigated. The other thi --
6 the other point you make is very well. You know, if
7 you inundate a borrowed area, there's likely to be
8 more leaching than if it was up.....

9 MR. MILLER: Than it was a runoff.

10 MR. MITCHELL:than it was a runoff,
11 exactly.

12 MR. MILLER: That leads to another point, and
13 that would be an adequate Sedimentation Control Plan
14 for any borrow areas that are within the lake basin.

15 MR. MITCHELL: Okay. Good point.

16 MR. MILLER: Thank you.

17 MS. HARPER: Okay.

18 MS. FIRSTENCEL: Can I ask one thing. Whatever
19 -- I just thought about it, it might not be related
20 to this section. But, just how do you build a dam
21 that big with no roads?

22 MR. MITCHELL: You fly in equipment.

23 MS. FIRSTENCEL: Everything can be flown in?

24 MR. MITCHELL: Well, the sizing of the equipment
25 -- you sometimes have to bring it in pieces and then
26 put it back together up there.

27 MS. FIRSTENCEL: Okay.

1 MR. MITCHELL: It's only 90 feet high and it's
2 500 feet high. And although it sounds, you know,
3 huge, it's doable.

4 MS. FIRSTENCEL: All the concrete and everything
5 that's being brought in.

6 MR. MITCHELL: Yeah, and see, we would -- you
7 fly up -- we would bring up concrete through the
8 tunnel. We would try to bring materials up through
9 the tunnel; drill the tunnel first and then do that.
10 And then you know, have equipment brought in on heavy
11 lift helicopter, put together and operate a batch
12 plant right up there.

13 MS. FIRSTENCEL: Well, if -- okay.

14 MR. MITCHELL: I mean, the alternative is to
15 build a heavy duty road.

16 MS. FIRSTENCEL: No, I understand. But it would
17 be nice to see all that described in the
18 environmental document, too. Unless it's.....

19 MR. MITCHELL: The method of.....

20 MS. FIRSTENCEL:you know, removing
21 equipment and constructing the tunnel.

22 MR. MITCHELL: Okay.

23 MS. HARPER: Just a quick thing, people who
24 aren't close a microphone, A, if you could speak nice
25 and loud so our court reporter can hear you. And
26 also, again, please give your name so he can make
27 sure to attribute everyone's comments to the proper

1 person. Again, we've got a microphone here and here,
2 so if you're not very close, bring out your theater
3 voice.

4 MR. VIGIL: Randy Vigil with the Corps again.
5 Just playing off what Heidi just said, what she was
6 talking about earlier goes towards your alternative
7 analysis, in my opinion. In -- I'm looking at
8 different ways of achieving your project. As she
9 mentioned, you can't have them do it without a road.
10 You know, when we look at impacts to aquatic
11 resources, we ask people to evaluate the alternatives
12 in order to demonstrate how they're avoiding
13 minimizing effects. And so, you know, evaluating how
14 a road isn't going to work or be more intrusive as
15 opposed to helicopting, as you explained it, should
16 be described in the alternative analysis, from our
17 perspective.

18 MR. MITCHELL: Okay.

19 MR. VIGIL: You know, that's -- you know, I
20 looked at this document and I looked at the table of
21 contents and read through it and noticed that you
22 talk about other federal laws. But you -- one
23 glaring one is you've left out in description on how
24 you're going to comply with Section 404 of the Clean
25 Water Act, which to us, seems a pretty big one not to
26 be addressing.

27 MR. MITCHELL: I agree. It's.....

1 MR. VIGIL: I think you're going to probably
2 need a permit from us. So, if you don't do it now,
3 you know, we're going to be asking you to do that
4 stuff later, which is going to not save you time.

5 MS. HARPER: Okay.

6 MR. MANNING: Sorry, I just have one extra
7 thought, and it may have already been addressed.

8 MS. HARPER: Name?

9 MR. MANNING: It's Joe Manning with the mineral
10 group again. I -- maybe this was already addressed,
11 but I guess I would like to know more about -- and
12 maybe I'm also getting ahead of myself, so I
13 apologize for that, as well. But I would like to
14 maybe know more about how you plan to store the
15 potential waste rock if it's acid generating. And
16 also what your time frames are for that in terms of
17 how long it can sit before it needs to be removed and
18 what your storage facility plans would be.

19 MR. MITCHELL: At this time, it would be
20 premature for me to, you know, because I don't --
21 one, I don't know if it's acid generating.

22 MR. MANNING: Sure.

23 MR. MITCHELL: And secondly, I don't know, based
24 on until I get more engineering, how much rock and
25 then how big of a impoundment or containment area I
26 would need at this point. The other thing is, is
27 we're going to go through the resource issues and

1 then I'm also -- we're also going to go into, just
2 for everyone's matter, that we're going to go into
3 potential studies if we have time, where we can add
4 into what needs to be studied that may not already be
5 addressed by us. Okay. Onto water quality.

6 MS. HARPER: But just before we move on, I just
7 want to make sure that we've got all of the soils
8 captured before we move on. So, to be added to the
9 geology and soils, the potential for excavated to
10 leak ac -- to leach acid, arsenic, or other toxic
11 materials. The potential disposal of excavated
12 materials onsite, where that would be, and what
13 potential effects could occur from that. Where any
14 onsite construction materials would come from.
15 Inundation of borrow areas, what the effects of that
16 would be. And just to be added, this wouldn't go
17 into the geology and soils, but just making sure that
18 there's an adequate Sediment and Control Plan for all
19 borrow sites.

20 MR. MILLER: Borrow sites, you mean?

21 MS. HARPER: Yeah. Okay. Did I get everyone's
22 or were there any others?

23 MR. MILLER: One clarification. Monte Miller,
24 Fish and Game. I think storage and disposal onsite
25 and offsite.

26 MS. HARPER: Okay. Okay. Onsite and offsite.
27 Okay. Thank you.

1 MR. MITCHELL: And then Randy had with the Clean
2 Water Act.

3 MS. HARPER: Okay. Not sure if that goes in
4 geology and soils, though.

5 MR. VIGIL: No, I probably (indiscernible - away
6 from microphone).

7 MS. HARPER: Okay. All right. Fantastic.
8 Thank you.

9 MR. ENRIQUEZ: I have a comment. This is
10 Richard Enriquez, Fish and Wildlife Service. On
11 point number three there, with regards to
12 contamination, contaminates, I guess what we'd
13 probably be looking at here is that these have a
14 Contamination Plan for both the construction phase as
15 well as the maintenance phase. Assuming that there's
16 going to be some kind of equipment that -- or
17 potential that the equipment left up there for the
18 maintenance operation side of things, that could
19 perhaps, you know, discharge or cause -- release
20 contaminates into the water system. So, I would
21 propose, anyway I guess, that there be a
22 Contamination Plan that we address with construction
23 and the maintenance aspect of this project.

24 MS. HARPER: Okay. Thank you.

25 MS. BERGER: This is Jen Berger with the Forest
26 Service. I have a couple of thoughts. And one is
27 that I would hope that the Sedimentation Plan that

1 Monte mentioned would also cover the mile or so of
2 road that would be constructed down at the base by
3 the powerhouse so that we capture, you know.....

4 MR. MITCHELL: All construction.

5 MS. BERGER: Exactly. And placement of culverts
6 and other diversion apparatus. And then the other
7 thought is I hope that the analysis would analyze
8 potential cumulative effects to the adjacent
9 wilderness area. I think we mentioned that the
10 project is adjacent to Tracy Arm Fords Terror
11 Wilderness. So, I would hope that there would be
12 analysis of visual impacts, noise impacts, other
13 things that might affect wilderness character.

14 MS. HARPER: Okay. Okay.

15 MR. MILLER: Monte Miller, Fish and Game.
16 Jennifer, please clarify for me, items such as
17 Sediment Plans, Fuel Spill Plans, Bear Safety Plans,
18 are all parts of terms and conditions that will be
19 applied to a license, is that not correct? That the
20 agencies will submit and.....

21 MS. HARPER: Sure.

22 MR. MILLER:FERC should -- could, should
23 include within the license articles. So, a lot of
24 these things would be flushed out.....

25 MS. HARPER: Yeah.

26 MR. MILLER:in more detail at a later date.

27 MS. HARPER: Right.

1 MR. MILLER: My point being, I think we could
2 beat it to death and waste a lot of time.

3 MS. HARPER: Sure. Sure. Yeah, we're just
4 right now trying to capture the issues that will need
5 to be evaluated so we can do the environmental
6 analysis. So, if we've captured all of the geology
7 and soils, I'll turn it over to Ian Smith and he can
8 discuss water quantity and quality issues.

9 MR. SMITH: Again, Ian Smith with FERC. So,
10 we're on page 26 still, 4.2.2, water quality --
11 quantity and quality. So, the first bullet point is
12 the effects of project construction on erosion,
13 sedimentation, turbidity levels of Lower Sweetheart
14 Lake, Sweetheart Creek, and Gilbert Bay. Followed by
15 effects of project operations on changes to water
16 temperature and dissolved oxygen, and dissolved gas
17 levels of Lower Sweetheart Lake and Sweetheart Creek.

18 Page 27, the effects of contamination via
19 accidental releases of fuels, lubricants, and other
20 wastes from construction equipment, machinery and
21 operations on Lower Sweetheart Lake, Sweetheart
22 Creek, and Gilbert Bay water quality. And the final
23 bullet point is effects of project construction and
24 operation on Sweetheart Creek flows. Is there any --
25 yes?

26 MR. SCHWARZ: This is Terry Schwarz, the
27 hydrologist for DNR.

1 MR. SMITH: Okay.

2 MR. SCHWARZ: I think that.....

3 THE REPORTER: You need to speak up, sir.

4 MS. HARPER: Yeah.

5 MR. SCHWARZ: Sure. Sorry. My theater voice,
6 right?

7 MS. HARPER: Yes.

8 MR. SCHWARZ: I wasn't a theater guy. It seemed
9 like those first two bullets could be put together
10 really. And I think looking at the effects of the
11 project construction and the project operation on --
12 you know, I think project operation, you should still
13 worry about erosion, sedimentation, and turbidity
14 levels. If you're going to fluctuate the surface of
15 the lake 60 feet, you're going to have sedimentation
16 issues. And I think that the second bullet, you need
17 to look at what's going on in Gilbert Bay as well.

18 You know, there's a lot of connections now that
19 I think -- between your water quality that's
20 happening in -- terrestrial system into the estuarine
21 environment of Gilbert Bay. Another thing that's
22 completely missing from this is nutrient fluc --
23 changes from the no -- non-alternative to the
24 alternative or hap -- speaking about right here. So,
25 those are a few things I was thinking about. And of
26 course, I assume we're going to be gauging this. So,
27 the fourth bullet, the effects of Sweetheart flow on

1 the -- the non-alternative versus alternative. So, I
2 think, yeah, bullets one and two should really be
3 smooshed together and should add nutrients to that.

4 MR. SMITH: I think they're separated more of a
5 temporal issue.

6 MR. SCHWARZ: Sure.

7 MR. SMITH: So.....

8 MR. SCHWARZ: So, then I think Gilbert Bay needs
9 to be included into.....

10 MR. SMITH: Okay. Noted.

11 MR. SCHWARZ:second one, and the.....

12 MR. SMITH: An addition of nutrients to the
13 bulletings.

14 MR. SCHWARZ: And the nutrients to, especially,
15 operations. But I think erosion, sedimentation, and
16 turbidity should be looked at during operations, not
17 just during construction.

18 MR. SMITH: Oh, okay. I've got you as well.
19 All right.

20 MR. SCHWARZ: It's the components, I think, need
21 to be looked at during both phases of the
22 construction operation.

23 MR. SMITH: All right.

24 MR. SCHWARZ: Thanks.

25 MR. SMITH: Yep.

26 MR. FLUETSCH: Ian, could I get a tape timeout?

27 MR. SMITH: Yep.

1 MR. FLUETSCH: Thank you.

2 MR. SMITH: Good to go? Monte?

3 MR. MILLER: Ian, this is Monte Miller, Fish and
4 Game.

5 MR. SMITH: Yep.

6 MR. MILLER: Under your first bullet, I think
7 the borrow areas need to be added if they're offsite.

8 MR. SMITH: The borrow areas?

9 MR. MILLER: Yeah. Any borrow pits or.....

10 MR. SMITH: Okay.

11 MR. MILLER:you know, areas that are
12 utilized, I think are important to be -- you know, we
13 discussed this, but it needs to be added to that
14 bullet.

15 MR. SMITH: All right. Yep?

16 MR. ANDERSON: Jim Anderson with lands at DNR.
17 Terry's question on nutrients.....

18 THE REPORTER: Sir, you need to speak up, sir.

19 MS. ANDERSON: Okay. Jim Anderson with DNR
20 Lands. I was just -- on the question on nutrients
21 and the 60 foot elevation, are the trees
22 merchantable, will they be cut and taken out? Or
23 will they just be left? I was just -- from the
24 curiosity on the trees on the lake edge, are they of
25 a size?

26 MR. MITCHELL: Some are.

27 MR. ANDERSON: Is that a consideration, then?

1 Or is that -- or will they just be left?

2 MR. MITCHELL: It depends on the quantity of
3 whether they will provide additional nutrients to the
4 lake or whether they will be hauled out, depending on
5 the amount. When we go there, we're going to
6 actually see as we inundate the contours of where
7 exactly that fluct -- that new fluctuation will be
8 and determine that. But it hasn't been determined
9 exactly with what will be used locally, what will
10 remain locally, or what may have to be removed.

11 MR. SMITH: Monte?

12 MR. MILLER: This is Monte Miller with Fish and
13 Game. I'd like to get a clarification on something.
14 I keep hearing 60 feet kicked out. But Duff, earlier
15 in your presentation, you indicated that the lake
16 level would go from 544 to 629, that's actually.....

17 MR. MITCHELL: 85.

18 MR. MILLER:85 feet.

19 MR. MITCHELL: It's a fluctuation of 60. The 85
20 is the reach of the new elevation.

21 MR. MILLER: So, it will be an -- okay. So,
22 you're upper level will be 85, but you only fluctuate
23 60 feet in the top of that?

24 MR. MITCHELL: Yes.

25 MR. MILLER: Okay. So, there's actually a
26 change of 85 feet, not 60 feet?

27 MR. MITCHELL: Correct.

1 MR. MILLER: This is.....

2 MR. MITCHELL: Correct.

3 MR. MILLER:a little confusion here. Your
4 dam being five feet above that at a 90-foot increase.

5 MR. MITCHELL: Correct. Yes.

6 MR. MILLER: All right. Thank you.

7 MR. SMITH: Are there more comments on water
8 quality and quantity?

9 MS. HARPER: Did you -- okay.

10 MR. SMITH: So, with that it looks like on the
11 first two bullet points, we're going to add nutrients
12 to both and Gilbert Bay to the second one, along with
13 the borrow points will also be examined. And the
14 project construction in the first bullet point. Is
15 that all?

16 MR. MILLER: Yeah, clarify one last time.
17 Sorry.

18 MR. SMITH: Yeah.

19 MR. SCHWARZ: I just want -- I'd like to see
20 erosion, sedimentation, and turbidity looked at
21 during project operations, as well.

22 MR. SMITH: Oh, I'm sorry. I have that, as
23 well.

24 MR. SCHWARZ: Because I think -- yeah. Because
25 I think that's important. I think there will be --
26 well, probably not during construction, but
27 potentially changes in water temperature as all the

1 oxygen, nutrients, gas, all this during construction.

2 I just want to look at the whole sweep of.....

3 MR. SMITH: Of water quality.

4 MR. SCHWARZ:water quality issues during
5 both phases. That's all I wanted.

6 MR. SMITH: Yeah. Noted.

7 MR. SCHWARZ: Thank you.

8 MR. SMITH: Yep.

9 MR. MILLER: This is Monte Miller, Fish and
10 Game. Typically, when we see these things, we talk
11 about operations and maintenance in the same step.
12 But it may be important to add maintenance in
13 addition to operations; construction, operation, and
14 maintenance.

15 UNIDENTIFIED VOICE: That takes care of it.

16 MR. SMITH: Yeah, all right. So, effects of
17 project operation and maintenance.

18 MR. MILLER: If it's not said, then it didn't
19 happen, so to speak.

20 MR. SMITH: Put it in there. All right. Good?
21 So, moving on to 4.2.3; that's aquatic resources,
22 it's on page 27. So, read through these. The
23 effects of project construction and operation,
24 sedimentation, disturbance, modification on the
25 physical habitat of Lower Sweetheart Lake, Sweetheart
26 Creek and Gilbert Bay. Effects of project operation
27 and water level fluctuations on fish species and

1 habitats in Lower Sweetheart Lake. Effects of
2 project operation, including alterations to existing
3 flow regime, on fish species and aquatic habitats of
4 Sweetheart Creek. Effects, if any, of project
5 operation, including alterations to existing flow
6 regime of Sweetheart Creek, on fish and shellfish
7 species in Gilbert Bay. Effects, if any, of
8 submarine transmission line construction on fish and
9 shellfish communities in Gilbert Bay. The effects of
10 project construction and operation on marine mammals
11 in Gilbert Bay and Port Snettisham. So, are there
12 any additional comments we'd like to add here,
13 thoughts? Yes?

14 MS. ADAMS: I -- Barb Adams with the Forest
15 Service. I'm surprised that you don't have any kind
16 of -- any maybe it's somewhere else, stuff on
17 subsistence for this area for aquatic resources.
18 Because I do believe -- or I may be wrong, but I
19 think the Sweetheart sockeye is maybe the secondary
20 area for Angoon subsistence. Or at least, that's one
21 of the areas that they've identified for subsistence
22 areas for the community of Angoon.

23 MS. HARPER: Page 30, the socioeconomics.

24 MS. ADAMS: Okay. Great.

25 MS. HARPER: Yeah. We can clarify that when we
26 get down to.....

27 MS. ADAMS: Okay.

1 MS. HARPER:that section.

2 MS. ADAMS: Sweet. I will hold it for that
3 then.

4 MS. HARPER: Okay.

5 MR. SMITH: Do we have a comment in the back?

6 MS. FIRSTENCEL: Yeah, a couple things. What is
7 physical habitat versus just habitat? Is there a
8 difference? Heidi with the Corps of Engineers. That
9 was one thing. And then I don't -- just limiting the
10 potential effects to fish and shellfish in Gilbert
11 Bay. I mean, there's a lot of other habitats and
12 stuff that could be affected. I was just wondering
13 what the thoughts were on why limiting it to -- I
14 mean, it could be like invertebrates, all kinds of
15 creatures in the bay, the mud flats. I don't know
16 what's out there. But limiting the effects to just
17 fish and shellfish seems limiting.

18 MR. SMITH: So, you'd like a more narrow.....

19 MS. FIRSTENCEL: Much more expansive -- yeah.
20 Pretty much all -- you know, in the analysis of the
21 baseline species communities, pretty much the whole
22 area, and then looking at the effects to those
23 communities, not limiting it to certain species.

24 MR. SMITH: Fish and shellfish are going to
25 be.....

26 MS. FIRSTENCEL: Are important economically.
27 I.....

1 MR. SMITH: Well inverts are -- fall under
2 shellfish.

3 MS. FIRSTENCEL: Yeah.

4 MR. SMITH: So.....

5 MS. FIRSTENCEL: Yeah. Worms, all kinds of
6 things.

7 MR. SMITH: So, we could change shellfish to
8 invertebrate communities or just the addition of
9 inverts.

10 MS. FIRSTENCEL: Well, I don't want to limit it.
11 I would just say the biological.....

12 UNIDENTIFIED VOICE: Marine.....

13 MR. SMITH: So, addition of just.....

14 MS. FIRSTENCEL: Biological communities.

15 MR. SMITH: Aquatic -- the biological aquatic
16 communities?

17 MS. FIRSTENCEL: Yeah. And it should be based
18 on baseline -- good baseline data.

19 MR. SMITH: So, a baseline of who's living out
20 there. All right.

21 MS. FIRSTENCEL: Because changes is
22 sedimentation deposition for the dam and all
23 that.....

24 MR. SMITH: And to answer your first question of
25 physical habitat.....

26 MS. FIRSTENCEL: Yeah.

27 MR. SMITH:it's habitat.

1 MS. FIRSTENCEL: Okay.

2 MR. SMITH: So.....

3 MS. FIRSTENCEL: All right.

4 MR. SMITH: Let's go with Monte.

5 MR. MILLER: First, I've got a couple of
6 questions. I'm concerned why, if any is in these
7 statements. I don't think it's necessary.

8 MR. SMITH: Okay.

9 MR. MILLER: It's kind of just a picky thing.
10 Secondly, I've got a couple more bullets for you.
11 The effects of project construction, operation, and
12 maintenance on out migration of sockeye juveniles
13 from Sweetheart Lake. And the effects of.....

14 MR. SMITH: One more minute, Monte.

15 MR. MILLER: Okay. I thought I'd give you
16 enough time.

17 MR. SMITH: All right. Your second bullet?

18 MR. MILLER: The effects of project operation on
19 the personal use fishery at the outlet of Sweetheart
20 Lake. I would assume that during a time of
21 construction and at the time when they're filling the
22 reservoir and constructing an out migrant -- or
23 attempting to construct an out migrant facility, that
24 the out migration of fish or even the planting of
25 fish up there might be impacted by -- you know, the
26 planting by DIPAC and it could result in an impact to
27 the personal use fishery down below, which is a major

1 thing for the Juneau area.

2 MS. HARPER: Monte, Jen Harper here, would that
3 come, maybe.....

4 MR. MILLER: Part of the socioeconomic.

5 MR. SMITH: Yeah.

6 MR. MILLER: Part of it is fishery issue.

7 MS. HARPER: Okay. And also recreation?

8 MR. MILLER: Personal use fishery is not
9 considered recreation.

10 MS. HARPER: Okay. It's socio.....

11 MR. MILLER: It is akin to subsistence in an
12 area.....

13 MS. HARPER: Okay.

14 MR. MILLER:that is not subsistence
15 eligible.

16 MS. HARPER: Okay.

17 MR. MILLER: But it is an extremely valuable
18 fishery to area residents.

19 MS. HARPER: Okay. So, you'd like to see it
20 evaluated both places?

21 MR. MILLER: I -- yeah, both places, I think. I
22 kind of agree that the one is more socioeconomic,
23 that the other is direct impacts on the ability of
24 those fish to mig -- out migrate.

25 MS. HARPER: Okay.

26 MR. MILLER: And you know.....

27 MS. HARPER: Okay.

1 MR. MILLER:and return, even.

2 MS. HARPER: Okay. And I may ask you for some
3 more clarification when we get to that area.

4 MR. MILLER: That's fine.

5 MS. HARPER: Great.

6 MR. MILLER: Thank you.

7 MR. SCHWARZ: This is Terry Schwarz again. Oh,
8 sorry. Okay. Terry Schwarz, hydrologist. So, I was
9 just wondering what you're going to base existing
10 flow regime on. Is that going to be the USGS record
11 from the teens and 20s or are we going to be gauging
12 this currently? Because I think there's been -- I
13 mean, there's plenty of literature saying that the
14 flow regime in Southeast Alaska has changed
15 significantly since then.

16 MR. MITCHELL: I can answer. We have -- I would
17 have already preferred to have the stream gauges
18 installed, but they will be installed this month, one
19 up at the top and one at the lower elevations. And
20 then we will compare those.

21 MR. SCHWARZ: So, at the lake -- so, a lake
22 elevation.....

23 MR. MITCHELL: Yes.

24 MR. SCHWARZ:gauge? Great. That's good.
25 And then where's the other gauge, then?

26 MR. MITCHELL: Well, the -- looks like the USGS
27 location would be ideal to put it in exactly where

1 USGS in 1915 through 1927.

2 MR. SCHWARZ: I'd agree with that.

3 MR. MITCHELL: But it may also -- I'm going to
4 allow the stream gauge contractor look at it, because
5 it's right in a nice pool that everyone fishes in.

6 MR. SCHWARZ: Yeah. Whatever the.....

7 MR. MITCHELL: So, as long as he can put it in
8 there and it doesn't snag, you know, with the piping
9 and everything else with people's nets, that's a
10 consideration we're looking at. But it will be
11 somewhere in that area. And then we'll be able to
12 correlate that data with others. And you know, we
13 already -- I mean, it remains to be said as far as
14 the USGS historical data, you know this better than
15 most because you're -- that's your field, some areas
16 are relatively small differences.....

17 MR. SCHWARZ: Uh-huh (affirmative).

18 MR. MITCHELL:over the average, and others
19 have more -- what do you call that? Range and
20 that'll be something we'll find out.

21 MR. SCHWARZ: How long are you planning on
22 running the gauges before -- I mean, I don't know
23 what the time line for this project is. How long --
24 since they're going in next month, ideal -- or
25 theoretically, how long will these gauges be running
26 before decisions are being made?

27 MR. MITCHELL: Well, we have until November 2012

1 to file our license application. The Federal Power
2 Act says 36 months; now, that's renewable. We plan
3 on not ripping the gauges out right as we file.
4 They're going to be left there.

5 MR. SCHWARZ: Okay.

6 MR. MITCHELL: But we plan on leaving them in
7 there for right now, minimum of three years. But
8 we're going to have the data with what the data
9 reveals. I mean, realistically, we're blessed
10 compared to other hydropower, because we have such a
11 phenomenal amount of government data.

12 MR. SCHWARZ: Right. It is -- it's -- you --
13 there's certainly a good thing going there. But it's
14 old, that's the only thing I'm concerned about is
15 that, you know, the runoff characteristics or the
16 runoff patterns of the entire world are changing, as
17 we all know. But Southeast, especially, just because
18 of changes in wintertime temperature -- you know,
19 temperature curves. We're having a lot more rain on
20 snow events. And basically the things that we've
21 been seeing is the annual discharge of a watershed
22 hasn't changed much. But that pattern has changed
23 where you have more flow in the winter and less flow
24 in the summer.

25 So, I would just like to include that in looking
26 at these older records. Because that is a pretty old
27 record from the -- in the teens, that's about as old

1 as it gets in Alaska, even. So, it sounds like one
2 year of gauged data -- current gauged data that'll be
3 used to define existing flow conditions. I'd just
4 like to take that into account. But it's -- I'm glad
5 that you guys are installing gauges.

6 MR. SMITH: Monte Miller?

7 MR. MILLER: This is Monte Miller, Fish and
8 Game. I'd like to also stress the importance of
9 gauging. While you have a record near tidewater,
10 what you don't have is a record of outflow from the
11 lake. Accretion through the system could result --
12 or could be impacting the amount of water at
13 tidewater. So, Fish and Game typically asks
14 applicants for a minimum of five years of data to be
15 able to properly and correctly evaluate. And I think
16 that's important, specifically with the lake level or
17 lake -- a gauge up at the lake system. And we would
18 make a recommendation in the future that stream
19 gauging continue to provide that minimum five years
20 of data.

21 MR. SCHWARZ: I'd concur with that. Five years
22 is a -- definitely a minimum for doing any kind of
23 large water reservation or flow reservation.

24 MR. MILLER: And my concern is the differences
25 between the high elevation and the lower elevation.
26 You can have an awful lot of rainfall, 115 inches in
27 this area, as you stated, which could have a huge

1 impact downstream from the lake. So, what you see at
2 tidewater may be vastly different than what you will
3 find at the lake.

4 MR. SCHWARZ: Yep, I'd concur with that. Is --
5 and can I ask about some of the old -- the USGS data,
6 was there any rainfall record from -- concurrent with
7 those USGS records from the teens and 20s?

8 MR. MITCHELL: I believe in our PAD that we
9 included the tables with.....

10 MR. SCHWARZ: Oh, okay.

11 MR. MITCHELL:the rainfall data.

12 MR. SCHWARZ: I'll have to have a look at that.

13 MR. MITCHELL: But we included where they both
14 existed.

15 MR. SCHWARZ: Okay. Great.

16 MR. MITCHELL: They're not -- wasn't
17 computerized back then. So.....

18 MR. SCHWARZ: Oh, yeah. It's a lot of
19 information.

20 MR. MITCHELL: Six months and data's missing
21 here and whatnot, yeah.

22 MR. SCHWARZ: Okay.

23 MR. SCHNEIDER: Pete Schneider, Forest Service.
24 I think it might be a good idea to add into this
25 section an assessment of the impacts to changing the
26 number of sockeye that would be released as well.
27 You indicated preliminarily that the number could be

1 increased. I don't know if anybody's asking for an
2 increase, but regardless, if the different regime is
3 being used to get those fish from the lake down to
4 the saltwater, the survival could change, whether it
5 goes up or down, of those smolts. And I think there
6 should be some discussion, probably in this section,
7 on what potential impacts that could have to the
8 native fishery or just the personal use fishery.

9 MR. SMITH: So, the potential impacts of an
10 increased population and increased survival?

11 MR. SCHNEIDER: Changing the population.

12 MR. SMITH: Okay.

13 MR. SCHNEIDER: Any changes. There's probably
14 going to be a change as to.....

15 MR. SMITH: Higher returns.

16 MR. SCHNEIDER:depending on what the.....

17 MR. SMITH: Impacts on.....

18 MR. SCHNEIDER:how those fish are moved
19 from the lake to the saltwater.

20 MR. MITCHELL: Yeah, I mean, obviously if we're
21 putting in a smolt line, we expect the mortality to
22 decrease, based on the other two smolt lines used
23 within the state. What I can tell you is DIPAC, at
24 one time, tried putting 2 million sockeyes in there,
25 and they found through trial and error that what
26 they're doing now is what is the sustainable proper
27 amount within reason for what lake habitat can

1 generate. As we raise that lake, it's likely that it
2 could increase the potential that they could add
3 more. But that's a decision solely born on DIPAC as
4 a non-profit. So, I'm trying to understand, are
5 you.....

6 MR. SCHNEIDER: Well, I would say the decision,
7 probably, was going to be a joint decision, my guess
8 is between DIPAC and some of the other agencies,
9 probably namely Fish and Game.....

10 MR. MITCHELL: Correct.

11 MR. SCHNEIDER:in terms of those numbers.
12 But I think my concern more is on what that would do
13 to the saltwater fishery. You had indicated that the
14 pipe could decrease the mortality, it could produce
15 more fish. I'm not sure if anybody's asking for more
16 fish and I'm not saying that that is a good thing.
17 I'm not saying it's a bad thing, but I don't see any
18 indication of discussing that and assessing the
19 potential impacts to changing the number of fish that
20 are being produced and are coming back into Gilbert
21 Bay.

22 MR. SMITH: So, you want to take a look at
23 potential returns into Gilbert Bay, as well?

24 MR. SCHNEIDER: Well, right, I think my.....

25 MR. SMITH: Not just.....

26 MR. SCHNEIDER:interest is more on -- you
27 know, the -- obviously, that -- like, what you're

1 saying is the change could happen in the lower
2 lake.....

3 MR. SMITH: Uh-huh (affirmative).

4 MR. SCHNEIDER:because the -- it could be
5 more productive because you've increased the surface
6 of -- you've increased the literal zone. But it also
7 would end up having a significant impact to the
8 saltwater fishery and the native -- there's only so
9 much food out there. So, it might not be good to
10 increase it by 100,000 sockeye. I'm just throwing a
11 number out there. That might not be a good thing.
12 That might not be able to handle it. You might crash
13 another fishery. I'm not a commercial fisheries
14 biologist, but I know that more is not always better.

15 MR. MITCHELL: I'm sure DIPAC would love to go
16 out there with a seine net and take care of that
17 problem. But you're right.

18 MR. SCHNEIDER: You and about 50,000 other
19 people would love to do that, too.

20 MR. MILLER: Ian?

21 MR. SMITH: Yeah?

22 MR. MILLER: This is Monte Miller, Fish and
23 Game. There's a couple things here. Since this
24 project was proposed, Duff you've indicated that you
25 feel that your smolt line or your -- you know, the
26 line coming off the lake that you proposed to do,
27 would improve the survival of smolts that now have to

1 drop down over 1,000 feet of waterfall, what is it;
2 1,300 feet?

3 MR. MITCHELL: No, it's about -- well, the lake
4 elevation's 544. So.....

5 MR. MILLER: Okay. So, roughly 540 feet of.....

6 MR. MITCHELL: There's a couple steep drops.

7 MR. MILLER: There's a couple steep spots, sure.
8 There -- you know, we've talked before about this;
9 the other smolt lines; I don't believe were used for
10 sockeye, number one. There.....

11 MR. MITCHELL: Spirited -- I'll just state,
12 Spirit Lake is sockeye.

13 MR. MILLER: And what is length of that line and
14 the drop down?

15 MR. MITCHELL: I don't have that right off the
16 top of my head, but it.....

17 MR. MILLER: But what I've told you before is
18 the sockeye are probably the least hearty of all the
19 salmon with regard to their life stage. Sockeye
20 smolts are picked up in seines and they immediately
21 roll over and die.

22 MR. MITCHELL: Yep.

23 MR. MILLER: The effects of a pipeline of this
24 length, this drop, and the pressure differences
25 coming down would probably be very extreme. I would
26 be very concerned of the success. Second on that
27 same token, some sort of an attractant device to have

1 these sockeye go to that, I mean, how are they going
2 to find your migration device up there? Where at,
3 normally they have a stream that they can get the
4 pull to. Your device may be different because it
5 will be different than the environmental flows in the
6 stream. I don't know that we'll get a good
7 collection, it may result in not migration of fish,
8 loss of fish in the lake, due to, you know, becoming
9 totally lost, as occurs in the reservoirs in the
10 Columbia River.

11 And third, producing more fish could impact many
12 things in fisheries management out there. If more
13 fish go out, they may survive, but they also would be
14 targeted by commercial fisheries throughout the
15 region, which would see higher returns and have more
16 openings. It's a delicate balance within fisheries
17 management to have openings to target specific runs
18 of fish. Addition of more fish may or may not be a
19 good thing in that the timing could impact other
20 strains of fish out there and other streams, which
21 are critical as far as their management. They could
22 inadvertently be targeted by additional fish from
23 this project. It could affect many other streams in
24 the area.

25 It would not necessarily result in more fish
26 coming back to the project, because of those interset
27 fisheries. And you made statements earlier about

1 this would create more fish for Juneau residents to
2 go down and net, and that may or may not be the case.
3 You've further made statements in previous meetings
4 that the bag limit could increase. Those are
5 management decisions, which are fairly unlikely to
6 occur. I'd just like to state that.

7 MR. SMITH: I think we touched on that just with
8 Ms. Rodman a few moments ago.

9 MR. MITCHELL: I can just -- I just want to
10 follow up. It is our intent to increase the fish and
11 increase the return.

12 MR. MILLER: I'm sorry?

13 MR. MITCHELL: It is our intent to increase
14 the.....

15 MR. MILLER: It is your intent?

16 MR. MITCHELL: It is our intent to increase the
17 returning sockeye. You well point out the devils of
18 the details. And the engineering in making sure that
19 what works in one system will, in fact, work on
20 another. But your points are well taken.

21 MR. MILLER: Twenty years in hatcheries tells me
22 this.

23 MS. FIRSTENCEL: And I -- one thing about the --
24 Heidi with the Corps of Engineers once again. The
25 first one, I would also include, and maybe it is
26 intended to be included, but I've pointed out the
27 buffer around the lake, any aquatic habitats, and you

1 know, wetlands and outreaches of streams that are
2 there that are going to be converted to -- well, you
3 know, flooded. I think that -- and I don't know what
4 that buffer will -- or what that limit of direct or
5 indirect impacts will be.

6 MR. MITCHELL: I'm having the wetlands and the
7 botany folks look up to and above 100 feet from the
8 current elevation, just as what they're doing right
9 now.

10 MS. FIRSTENCEL: And how far do you expect --
11 with the level to go up, how far is that? I know
12 it'll vary, obviously. But.....

13 MR. MITCHELL: Well, this is kind of like the
14 discussion Monte was having earlier. The fluctuation
15 will be 60 feet, but it will go up to 629 feet. So,
16 they're looking at at least to 629 feet and above.
17 So, everything below 629 will be directly impacted.
18 Anything above 629 will be indirectly impacted.

19 MS. FIRSTENCEL: Okay. So, again, it's
20 important to gather all the baseline conditions of
21 that area -- potential impact area for your
22 assessment.

23 MR. MITCHELL: And in our fisheries, we're going
24 above that so that we can see if new habitats created
25 for spawning of the rainbows, even another -- that
26 stream 100 feet of elevation, which could be,
27 depending on the slope, substantially more or less.

1 MR. SMITH: So, when we refer to Sweetheart
2 Lake, will that be in the boundary that -- in your
3 studies 100 foot?

4 MR. MITCHELL: Yes.

5 MR. SMITH: Okay. Let's go.....

6 MR. ENRIQUEZ: Richard Enriquez, Fish and
7 Wildlife Service. Scoping Document 1 shows -- does
8 show that the Upper Sweetheart Lake's in the project
9 area. With regard to -- what I don't see anything
10 about -- well, you know, a kind of assessment,
11 perhaps, is needed or should be at least identified,
12 the effects of the raising -- or what would be the
13 effects on the Upper Sweetheart Lake as a result of
14 this project on the fisheries and others, so -- and
15 also, icing. If there's -- icing would be an issue
16 on the system, there, as well.

17 MR. MITCHELL: When you say icing, you're
18 talking about the Gilbert Bay or actually in the
19 lake?

20 MR. ENRIQUEZ: In the lake and -- primarily in
21 the lake, yeah. But.....

22 MR. MITCHELL: We have not planned, nor were we
23 thinking of planning or doing any studies of Upper
24 Sweetheart Lake, except for the lower reaches where
25 there might be rainbow or dollies that could be using
26 the streams to spawn. We have not included anything
27 in the Upper Sweetheart Lake at this time, because

1 we're not going to really touch it, even though it is
2 in the boundary area. And it's in the boundary area
3 primarily for the watershed purposes.

4 MR. ENRIQUEZ: Yeah. I think, then, probably a
5 statement that, you know, an assessments that just --
6 something about to that effect that it's not going to
7 be impacted. But you know, you look it and, you
8 know, do we know or not by the reason of the dam, for
9 example, it would be a question, I guess. Something
10 should be said about it, I guess, is what I'm.....

11 MR. SMITH: Stating.

12 MR. SCHNEIDER: What's the elevation difference?
13 Pete Schneider, Forest Service.

14 MR. MITCHELL: It's 544 feet and one's 1,600
15 feet.

16 MR. SCHNEIDER: Between the two lakes?

17 MR. MITCHELL: Yeah.

18 MR. SCHNEIDER: Oh, okay.

19 MR. MITCHELL: Yeah, one's substantially higher.
20 It's frozen for most of the year, but produces a lot
21 of nice water for potential habitat for fish to spawn
22 in the creek that's between the two.

23 MR. SCHNEIDER: Sure.

24 MR. SCHWARZ: One last hydrology question. And
25 this is more of a study question. Will you be doing
26 any kind of a weather station at saltwater or the
27 lake elevation during this? And I -- just because if

1 we don't get to the studies, I think that would be an
2 important thing to include to correlate your existing
3 flows with your historic flows.

4 THE REPORTER: Your name, sir?

5 MR. SCHWARZ: Terry Schwartz. Sorry.
6 Hydrologist.

7 THE REPORTER: Thank you.

8 MR. MITCHELL: Terry, as a sidebar to this, I
9 shake my face because I have been.....

10 MR. SCHWARZ: Yeah, (indiscernible -
11 simultaneous speech).

12 MR. MITCHELL:kicking around how to
13 provide power to operate a weather station that will
14 function and allow me to melt snow in a remote
15 location where I don't have to put a generator.
16 Because.....

17 MR. SCHWARZ: Yeah.

18 MR. MITCHELL:they just don't make them
19 for batteries.

20 MR. SCHWARZ: No.

21 MR. MITCHELL: And I've been dealing with one of
22 our contractors for over 90 days trying to get the
23 right system that will work. To date, we have not
24 found the system.

25 MR. SCHWARZ: Yeah

26 MR. MITCHELL: Money is not the issue, it's
27 getting the right equipment that will work in a

1 remote location. You know, some of these will work
2 on solar power, but we don't have much solar power.

3 MR. SCHWARZ: Yeah.

4 MR. MITCHELL: And once I lock that lake up, as
5 far as lock the lake up with ice, I cannot go back in
6 there and retrieve data. So, if I use a battery
7 system that's melting the rain and snow.....

8 MR. SCHWARZ: Yeah.

9 MR. MITCHELL:it dies. And then I have
10 six weeks of data. So, that is an engineering issue
11 I'm dealing with. Our intent is to put some type of
12 weather station up there.

13 MR. SCHWARZ: Good.

14 MR. MITCHELL: I'm working on it.

15 MR. SCHWARZ: Okay. Propane.

16 MR. MITCHELL: Propane is a option.

17 MR. SCHWARZ: That's my suggestion.

18 MR. MITCHELL: Well, if you have some equipment
19 that you know that works for this type of thing, I'm
20 all ears.

21 MR. SCHWARZ: Okay. We'll talk about it later.

22 MR. MITCHELL: Well.....

23 MR. SCHWARZ: So, that's part of the study plan
24 for the water resources and that can affect the water
25 resources, I assume.

26 MR. MITCHELL: Yeah.

27 MR. SCHWARZ: Thank you.

1 MR. SMITH: Monte?

2 MR. MILLER: Well, Duff brought up -- excuse me.
3 This is Monte Miller, Fish and Game. Duff brought up
4 the raising levels and inundating some spawning area
5 and creeks for resident fish, the creek between Upper
6 Sweetheart and Sweetheart Lake. I think effects of
7 the construction or operation on that creek need to
8 be evaluated as well.

9 MR. MITCHELL: On the Upper Sweetheart Creek?

10 MR. MILLER: On any.....

11 MR. MITCHELL: Oh.

12 MR. MILLER:creeks coming into Sweetheart
13 Lake that are inundated, the loss of habitat issues
14 for rainbow spawning or resident fish spawning, those
15 types of things.

16 MR. MITCHELL: And just so you know, and it's --
17 our aquatics study has been released and we have
18 shared it with Shawn, we're going to photo document
19 each creek. We're putting temperature gauges in each
20 creek. If there -- if I find a creek that's only two
21 feet wide and three inches deep, I may not put an
22 actual temperature gauge in there.

23 MR. MILLER: Sure.

24 MR. MITCHELL: But we are going to still photo
25 document it. But I have like 12 or 15 of these water
26 temperatures. We're going to put stake.....

27 MR. MILLER: Temperature gauges are cheap.

1 MR. MITCHELL: Right.

2 MR. MILLER: They're \$110 dollars.

3 MR. MITCHELL: We're -- and then we're photo
4 documenting up the habitat. We're doing minnow
5 traps, we're doing hoop nets where we can, and we're
6 going to try to document where the spawning habitats
7 are.

8 MR. MILLER: Are you also intending on
9 documenting or doing some assessment of resident fish
10 species within Sweetheart Lake?

11 MR. MITCHELL: Yeah, we're going to look for one
12 presence.....

13 MR. MILLER: I would assume that that would be,
14 but I have to ask.

15 MR. MITCHELL:presence and then, you know,
16 we'll.....

17 MR. MILLER: Maybe population, but I don't know
18 that you'll get there.

19 MR. MITCHELL: I don't know if we're going to
20 get the population. The trouble is if you do a sonar
21 reading, you have so many sockeye smolt running
22 around there, how do you differentiate between a
23 rainbow this big that's resident and a sockeye that's
24 going to leave next spring. So, it becomes tricky at
25 best. But yes, we're going to be putting hoop nets
26 in there and try to get some kind of baseline there
27 that we could maybe do a good guesstimation or some

1 kind of scientific guess on resident population. We
2 do know that from high water that's occurring in
3 September that some of those residents decide to go
4 saltwater.

5 MR. MILLER: Yeah. Well, there may also be a
6 window between out migration of sockeye smolts and
7 repopulation by DIPAC. They have to -- I don't know
8 what they're timings are, but that's a possibility to
9 do some of the studies when those sockeye are in the
10 lake or at a low peak.

11 MR. MITCHELL: Yeah, that's a good idea.

12 MR. SMITH: So, is there any other additional
13 comments on aquatic resources. So, how about we
14 change that first bullet to be the effects of project
15 construction and operation on the physical habitat of
16 the Lower Sweetheart Lake, Sweetheart Creek, Gilbert
17 Bay, and the effective areas of the flooding, which
18 Duff indicated was 100 feet above the highwater mark
19 that they have. And that will include the
20 tributaries of Lower Sweetheart Lake.

21 MR. MILLER: And maintenance.

22 MR. SMITH: And maintenance added.

23 MS. FIRSTENCEL: I'm Heidi with the Corps. If I
24 could ask one more question.

25 MR. SMITH: Yep.

26 MS. FIRSTENCEL: I'm not a fish person, so if
27 this is a -- you know, I might make a fool out of

1 myself. But are there -- we're talking about the
2 salmon a lot, but are there other resident fish that
3 would go downstream? It sounds like you're making a
4 lot of accommodation to get the salmon from the lake
5 to the tidewaters. But are there a -- not
6 necessarily resident fish will go all the way to the
7 tidewaters, but is there movement of other things
8 that might be impacted?

9 MR. SMITH: It's discussed in the PAD that
10 there's a population of rainbow trout that are not
11 native. They're kind of subsistent on the stocked
12 sockeye. Is that the only other species?

13 MR. MITCHELL: There's pro.....

14 MS. FIRSTENCEL: Like, smolt in different -- all
15 kinds of.....

16 MR. MITCHELL: I doubt if there's any sculpin in
17 the -- in that freshwater reach, but there -- we
18 don't know what other is out there. But we do
19 believe there's dollies and we do believe there's
20 rainbow. Our hoop nets will determine -- and our
21 minnow traps will determine what exactly we have up
22 there. There may be cutthroat, too, I mean, we don't
23 know what.....

24 MS. FIRSTENCEL: So, you are doing -- like --
25 and I'm also thinking of movement.

26 MR. MITCHELL: The move.....

27 MS. FIRSTENCEL: Like, just because they're in

1 the lake, do we know they're moving.

2 MR. MITCHELL: Most of those fish do the
3 steepness of the falls, it's a oneway movement.

4 MS. FIRSTENCEL: Right. That's what it sounds
5 like.

6 MR. MITCHELL: You know, they'll become --
7 rainbows will become steelhead and dollies will
8 become saltwater born instead of freshwater.....

9 MS. FIRSTENCEL: Yeah.

10 MR. MITCHELL:you know.....

11 MS. FIRSTENCEL: But are things going down --
12 I'm thinking food source is different contribution,
13 anything there that's moving down might be
14 contributing to the ecology downstream.

15 MR. MITCHELL: I'm sure there is with the -- you
16 know, like with the nutrients and the different
17 things that are coming out of the lake into the
18 stream.....

19 MS. FIRSTENCEL: Right.

20 MR. MITCHELL:system. I mean, obviously,
21 there's erosion and runoff the stream sides. But you
22 know, whatever elements are coming out of the lake
23 are obviously there.

24 MS. FIRSTENCEL: Yeah.

25 MR. VIGIL: So, that would -- Randy Vigil, Corps
26 of Engineers. So, that would fall under the nutrient
27 addition to this section; not nutrient reduction or

1 nutrient purposes? Is that what you mean?

2 MS. FIRSTENCEL: I wouldn't limit it to just
3 nutrient purposes. But it -- just a general.....

4 MR. VIGIL: But if the food web changes.....

5 MS. FIRSTENCEL:discuss -- food web more
6 than -- impacts to food web, rather than just
7 saying.....

8 MR. SMITH: Maybe we could -- so, let's change
9 that fourth bullet to, and maybe we could incorporate
10 the food web, and that -- it would be effects of, get
11 rid of if any, of project operation, including.....

12 MS. FIRSTENCEL: Yeah.

13 MR. SMITH:alterations to existing flow
14 regime of Sweetheart Creek on fish, shellfish,
15 benthic communities, let's say -- how about aquatic
16 communities in Gilbert Bay, Sweetheart Lake -- maybe
17 we'll add an additional bullet for your last comment,
18 just to get a baseline study of aquatic community in
19 both Gilbert Bay, Sweetheart -- Lower Sweetheart
20 Lake, and Sweetheart Creek. Does that work?

21 MS. FIRSTENCEL: Okay. Thank you.

22 MR. SMITH: And we have a few additional
23 bullets. Let's look at the effects of construction,
24 operation, maintenance of out migration of sockeye
25 from Sweetheart Lake -- Lower Sweetheart Lake, excuse
26 me. Effects of construction, operation, maintenance
27 with relation to the personal use fishery at

1 Sweetheart Creek.

2 MR. MILLER: And Gilbert Bay.

3 MR. SMITH: And Gilbert Bay? Correct. Gauging
4 was brought up, but that seems like it's.....

5 MR. MITCHELL: Work in progress.

6 MR. SMITH:a work in progress. And the
7 potential impacts of shifts in sockeye population
8 dynamics with relation to the project out in Gilbert
9 Bay, Sweetheart Creek. Does that work?

10 MR. SNYDER: I just -- the effects of the change
11 in the pre -- of the -- I don't know how best to put
12 it. But yeah, if you're going to change the
13 production.....

14 MR. SMITH: The shifting.....

15 MR. SNYDER: Yeah. I would like it.....

16 MR. SMITH:in sockeye production?

17 MR. SNYDER: I would like to see some analysis
18 of the effects of that.

19 MR. SMITH: Okay. And then I -- were we going
20 to add this or did this get thrown away? What
21 potential effects the project would have on Upper
22 Sweetheart Lake? Does that seem.....

23 MR. MITCHELL: The -- we're not -- we don't
24 expect to have an impact.....

25 MR. SMITH: That's not -- okay.

26 MR. MITCHELL:on it.

27 MR. SMITH: I don't think that needs to.....

1 MR. MITCHELL: But I mean, Richard asked that we
2 kind of state that fact.

3 MR. SMITH: Right. Okay.

4 MS. HARPER: Oh, I.....

5 MR. MILLER: The impact of project operations on
6 -- or inundation on creeks flowing into Lower
7 Sweetheart Lake.

8 MR. SMITH: Yeah, that was -- I added that in
9 the first.....

10 MR. MILLER: Okay.

11 MR. SMITH:bullet point. I included
12 tributaries to Lower Sweetheart Lake.

13 MR. MILLER: Okay.

14 MS. HARPER: And I also have a note in here
15 about looking at the resident fish population. Do
16 you have that?

17 MR. SMITH: I put a baseline study.....

18 MS. HARPER: Okay. Yes.

19 MR. SMITH:of Gilbert Bay, Sweetheart
20 Lake, Sweetheart Creek.....

21 MS. HARPER: Okay.

22 MR. SMITH:for aquatic communities.

23 MS. HARPER: Great. Okay. Any other additions
24 to the aquatics bullets? Okay. Well, we've been
25 going at this for about an hour, 40. How about we
26 take a little five minute break so people can make
27 any stops they need to, refresh their coffee. And

1 we've still got quite a few areas to cover. So,
2 please come back quickly. Thanks.

3 (Off record)

4 MS. HARPER: Now on to terrestrial. I will turn
5 it over to Ms. Dianne Rodman.

6 MS. RODMAN: Okay. Yeah. I don't think I
7 mentioned before, but I, like the other four people
8 from the Commission are all from the Washington D.C.
9 office. You'll notice our area code is 202, we're
10 four hours behind you. You know, in case you want to
11 call, okay? First bullet is habit -- I'm going to
12 summarize here. Habitat loss and alteration effects
13 of project construction. All right? In the
14 environmental analysis, we're probably going to have
15 one subsection on construction, another subsection on
16 operation, maybe another one on noxious weeds, maybe
17 another one on sensitive species. I'm not sure how
18 well we'll divide it up. But construction effects as
19 oppose to operation and maintenance effects are often
20 the way that we divide things in terrestrial resource
21 analysis. So, that will be the first one.

22 We are going to -- that will be -- have
23 particular emphasis on Forest Service sensitive
24 species and state listed species. The second one is
25 the operation one, effects of noise, improved access
26 from project access roads, and increased human
27 presence on wildlife. Again, with particular

1 emphasis on sensitive species and state listed
2 species. The third bullet is for effects of project
3 construction and operation, and maintenance if you'd
4 like, on migratory and shore birds. The fourth will
5 be the effects of the new substation and transmission
6 line on the potential for raptor electrocutions and
7 collisions. Fifth will be effects of construction
8 and operation, specifically here we mean lake level
9 fluctuations on Lower Sweetheart Lake including at
10 Upper Sweetheart Lake Creek and Sweetheart Lake --
11 Creek -- Sweetheart Creek shoreline vegetation and/or
12 habitats used by wildlife species.

13 And the last one is effects of project on
14 distribution and abundance of invasive plant species.
15 This is kind of an awkward way to break things up.
16 We may -- in either Juneau Hydropower's preliminary
17 draft Environmental Assessment or Commissions one,
18 divide them up a little differently. But these are
19 the major points that we'll want to get. What
20 additions would you like to make or changes?

21 MR. ENRIQUEZ: This is Richard Enriquez, Fish
22 and Wildlife Service.

23 MS. RODMAN: Right.

24 MR. ENRIQUEZ: It would be helpful for the -- on
25 that first bullet would be, perhaps, you could -- and
26 I guess acres divide by different habitat types.....

27 MS. RODMAN: Uh-huh (affirmative).

1 MR. ENRIQUEZ: that could be broken out.
2 That would really be helpful, especially if there's
3 any mitigation issues or concerns that we could
4 definitely have something that, you know, go back to
5 and say okay, you know we've been in mitigation for
6 x, y, z, kind of thing. All right? And then also, I
7 would -- on the -- for the one with regard to effects
8 of new substation and transmission line, a potential
9 for raptor electrocutions, I would not -- I would
10 also like to expand that to include more than just
11 raptors, because there are -- especially in the
12 estuary areas, are water fowl such as geese and large
13 birds and small birds. But primarily just, you know
14 -- other birds that could be electrocuted as well.
15 So, that would -- could be in there, added to it.

16 MS. RODMAN: Okay. Actually, Mr. Mitchell, this
17 brings up a point I wanted for my own clarification.
18 Originally you said that the entire project was on
19 Forest Service managed lands. Does that include the
20 transmission line and substation?

21 MR. MITCHELL: Yes.

22 MS. RODMAN: On the other side at the point of
23 interconnection?

24 MR. MITCHELL: There's -- it's on the Forest
25 Service land, whether there's a right of way or there
26 is an agreement. I would have to defer, but I
27 believe that it is on Forest Service managed land.

1 MS. RODMAN: Okay. Great. Thank you. Yes?

2 MR. CHESTER: Dennis Chester, wildlife biologist
3 with the Forest Service. I guess in the study plan,
4 I noticed that you're using an old version of the
5 sensitive -- Forest Service sensitive species list.
6 So, you can contact me or whoever as far as getting
7 an updated version of that. That was changed in
8 2009, I'm not sure when you went through those. But
9 it's fairly recent. I'd like to second what Richard
10 said about the habitats acres, different habitat
11 types. That's primarily how we analyze stuff. I
12 don't think you'll do studies that will really tell
13 you what the populations are out there so we pretty
14 much look at habitats and it effect their -- if the
15 disturbances are close, as well. We focus on the
16 habitats.

17 MS. RODMAN: Right. And although that isn't
18 something that we would put it -- as a bullet, this
19 is typically something that, you know, makes -- is a
20 quick and dirty way for any biologist to see what's
21 happening and the effects section of the analysis.
22 So, I would like to have some -- the kind of
23 information that we could -- that your EA and our EA
24 would have a table of acres of habitat type affected.
25 Well, acres of habitat within the, say, the project
26 boundary and acres of habitat affected. I'd also
27 like to mention the next section is threatened and

1 endangered species.

2 MR. MILLER: Before we get to that.....

3 MS. RODMAN: Yeah. Uh-huh (affirmative)?

4 MR. MILLER: This is Monte Miller. Before we
5 get to that, you just made a reference to acres
6 affected and acres within the project boundary. The
7 project boundaries on this project are identified --
8 as identified are much larger than we see on other
9 projects. And I don't know that that reference
10 between the two is entirely appropriate in this
11 context. It is important to understand the habitat
12 being lost and the inundation, and I think you should
13 maybe look at that with a potential of habitat within
14 the next 100 feet of elevation, perhaps, around the
15 new lake area, rather than the entire watershed,
16 which goes peak to peak and encompasses several
17 thousand acres. I think your habitat loss concerns
18 would be very watered down if you did it the way you
19 just suggested.

20 MS. RODMAN: That's true. And the project
21 boundaries will often typically follow the alignment
22 of the penstock, where the stream may be over here.

23 MR. MILLER: Uh-huh (affirmative).

24 MS. RODMAN: But the riparian habitat of the
25 stream may be affected.

26 MR. MILLER: Correct.

27 MS. RODMAN: So, I would like to.....

1 MR. MILLER: We have that issue on another
2 project that.....

3 MS. RODMAN: Right. Yeah.

4 MR. MILLER:that you're aware of.

5 MS. RODMAN: Right. So, I guess your
6 consultants will have to look at the -- not within
7 the project boundary, say, within the study area
8 might be most -- the most efficient way to do it.
9 And during the study plan process, I would hope that
10 people would come to an agreement as to what the
11 study area is. Okay?

12 MR. MILLER: And further, that may differ,
13 depending on the species that you're looking at.
14 Large animals like mountain goat, you may -- it may
15 be appropriate to go to the high elevations. But
16 species, such as migratory water fowl nesting and
17 utilizing near shore areas, you know, those habitats
18 are very specific and close to the lake. So, I think
19 it does have to be an adaptive look at things and
20 just -- we just need to be very careful to define a
21 correct relationship with areas.

22 MS. RODMAN: Okay.

23 MR. MILLER: Thank you.

24 MS. RODMAN: Yeah.

25 MR. MITCHELL: And our wildlife contractor is
26 here listening to all of this.

27 MS. RODMAN: Okay. Great. Do you have any

1 other questions about wildlife and terrestrial
2 habitat? Okay.

3 MR. ENRIQUEZ: Just for your information -- this
4 is Richard Enriquez, Fish and Wildlife Service.
5 There is a website available, it lists the invasive
6 plan species.....

7 MS. RODMAN: Uh-huh (affirmative).

8 MR. ENRIQUEZ:that may be of use to, you
9 know, identifying where they are, what species they
10 are, and so forth, so on. It's a pretty
11 comprehensive list. So, if you'd like that, I can
12 send it to you wherever that contact person would be.

13 MR. MITCHELL: Richard, if you would like, I
14 would even go so far as if you want to send that to
15 me, we could post it on our website so when people
16 are looking at the different components of the study,
17 they could even go back and.....

18 MS. RODMAN: Yeah?

19 MR. CASE: Jim Case with the Forest Service
20 Juneau Ranger District. Duff, I just e-mailed you
21 this morning the written responses to the study plan
22 from our biologist -- wildlife biologist and also the
23 botanist. So, I want that on the record. And I'll
24 provide this gentleman with a hard copy of those to
25 include with his notes for this section.

26 MR. MITCHELL: Excellent, thank you.

27 MS. RODMAN: Ellen?

1 MS. ANDERSON: Ellen Anderson, Forest Service.
2 Regarding your comment about that state website for
3 invasive plants, in the last couple years, the
4 process has changed. Ordinarily, even the Forest
5 Service would enter their data collected about
6 invasive species that they found in that state
7 database. But now we have to do it in our own
8 national database. And we do not enter it into the
9 state database. So, we were fortunate to get the
10 state database downloaded into the national one, but
11 apparently it's not going the other way. So, that
12 state one may not be as up to date as you may like.

13 But I can go into the national database and get
14 more local surveys and interest and that's sort of
15 stuff. And so, there's going to be -- I made
16 comments in my -- study plan comments about trying to
17 work around this business. And so, the forest likes
18 to have all this data entered into the national
19 database, since it's on forest land. And so, another
20 issue is access to this national database, which not
21 everybody has. So, the regional ecologist person in
22 charge of the Botany Department has put together an
23 access database, which can be used by your
24 contractors to enter their survey and invasive
25 species data in, too. And then that can be -- we can
26 download that into our national database.

27 So, I -- you can get together with me if you

1 want and I can send you information on how to get a
2 hold of that. I think there's an .ftp site for that.
3 But just sort of a heads up that there's not a one-
4 site covers everything anymore. So, we're working on
5 trying to get our national information into this
6 state database. But who knows if or when that will
7 ever happen.

8 MS. RODMAN: Yes?

9 MR. SCOTT: Ryan Scott with the Department of
10 Fish and Game. Just in case we don't get far enough
11 down the line into the study aspect of this, you
12 know, we have some very limited empirical data about
13 game species, specifically in the project and in the
14 proposed area. So, some fairly intensive baseline
15 data and surveying information needs to be gathered,
16 especially for terrestrial mammals. I just want to
17 get that out there.

18 MS. RODMAN: Okay. I'm going to deal with the
19 threatened and endangered species section, and this
20 is the point that I began to make earlier. I like,
21 and I think, Ian would you go along with me, keeping
22 that section only for species that are actually
23 protected under the Endangered Species Act.

24 MR. SMITH: In the T and E section, here?

25 MS. RODMAN: Yeah.

26 MR. SMITH: Yeah.

27 MS. RODMAN: And state listed species, Forest

1 Service sensitive species, any other management
2 category, I would prefer to have in terrestrial
3 resources or aquatic resources because the Endangered
4 Species Act is a powerful and very specific thing.
5 And while I -- agencies understand that, the public
6 does not. So, I like to segregate the critters that
7 have ESA protection into that one section. And it
8 can make for a very long terrestrial resources
9 section, because what if we had BLM land, as well.
10 You know?

11 But as I said, the public does get confused, and
12 so I'd like to keep ESA in section 4.2.5. That said,
13 we're -- in Alaska, we're in pretty good shape. I
14 think there was something in the pre-application
15 document about marbled murrelet. Is that a real
16 consideration?

17 MR. ENRIQUEZ: Well, when you -- well, it has to
18 be addressed, I guess.

19 MS. RODMAN: All right.

20 MR. ENRIQUEZ: But when you come forward and
21 request a consultation, then we provide you that
22 information.

23 MS. RODMAN: Okay.

24 MR. ENRIQUEZ: And there's also yellow billed
25 loon as well, and others. But you know, right.....

26 MS. RODMAN: The yellow billed loon, is that a
27 candidate for the endangered species.....

1 MR. ENRIQUEZ: It's a -- yeah, it's a candidate,
2 yeah, it's -- so, anyway, we'll provide you that
3 information.

4 MS. RODMAN: Okay.

5 MR. ENRIQUEZ: So.....

6 MS. RODMAN: Okay. We'll give you a formal
7 request.....

8 MR. ENRIQUEZ: Yeah.

9 MS. RODMAN:for species list.

10 MR. ENRIQUEZ: Right now, there are no -- we
11 have no species yet.

12 MS. RODMAN: Okay.

13 MR. ENRIQUEZ: But there are sure candidates on
14 there.

15 MS. RODMAN: Okay.

16 MR. MILLER: Will this section -- Monte Miller,
17 Fish and Game. Will this section also list the
18 candidate species, then, in a separate heading of the
19 sub. You know, here's listed, here's candidate.

20 MS. RODMAN: I've done EAs in which we've
21 discussed the candidate species on the terrestrial
22 resources, because the candidate species does not
23 have the.....

24 MR. MILLER: There's no protection?

25 MS. RODMAN:protection. And as I said,
26 the public can get confused.

27 MR. MILLER: Okay. So, back up under

1 terrestrial, then perhaps another bullet of
2 discussion of candidate species.

3 MS. RODMAN: Okay.

4 MR. MILLER: Or other listed, state listed, or
5 species of interest for agencies.

6 MS. RODMAN: Yeah.

7 MR. ENRIQUEZ: This is Richard Enriquez, Fish
8 and Wildlife Service. What we can do is, in the
9 response to a consultation request, we can write
10 information as to what -- how we are handling
11 candidate species and you can pull that narrative
12 from there and use some of that in the -- that other
13 section, if you like. You know, it's up for you
14 to.....

15 MS. RODMAN: Okay. Yeah.

16 MR. ENRIQUEZ: But we do provide clarification,
17 because it does get confusing.

18 MS. RODMAN: Oh, sorry. Yes?

19 MR. CHESTER: Yeah, one possible -- Dennis.....

20 MS. HARPER: Name?

21 MR. CHESTER:Chester, Forest Service. One
22 possible way out then by Region 10 Forest Service
23 policy, all candidate species are automatically
24 considered sensitive species.

25 MS. RODMAN: Right.

26 MR. CHESTER: That's how I deal with them.

27 MS. RODMAN: Okay. There often is this huge

1 overlap. So, yeah, so since there'll be con -- so,
2 when we introduce the species, we would say it's a
3 Forest Service sensitive species and it's been
4 designated by the Fish and Wildlife Service candidate
5 species right. So, it would fall in that section
6 mostly.

7 MR. CHESTER: Right.

8 MS. RODMAN: Right.

9 MR. CHESTER: And I guess I haven't seen or
10 heard anybody from NMFS here, so I guess I'll maybe
11 speak up for them. It wouldn't be in the ter --
12 well, under fed -- an endangered -- sea lions and
13 humpback whales.

14 MS. RODMAN: Humpback whales, right. Yes, that
15 is one thing that I was wondering about.

16 MR. MITCHELL: So, if someone.....

17 MR. ENRIQUEZ: Yeah, do you have someone that
18 can -- and just to follow up on that commentary, we
19 -- the request would be made to both federal
20 agencies. We would ask from them, and then go to the
21 go to the main side and then ask from the other side.

22 MS. RODMAN: Right.

23 MR. ENRIQUEZ: Not the dark side, just.....

24 MS. RODMAN: Right. Okay. Does anybody else
25 have any thoughts on those two items? Okay.

26 MS. HARPER: Okay. Okay. Fantastic. Jen
27 Harper, FERC again. We have a wonderful cultural

1 recreation and land use person. Unfortunately, he is
2 stuck in Washington D.C. this week. So, I'm going to
3 try to cover his areas as best I can. So, I guess --
4 let's see how we're doing on time. Richard, do we
5 need to jump to socioeconomic? Or we doing okay for
6 time for you?

7 MR. ENRIQUEZ: As far as -- yeah. I'm -- you're
8 doing okay.

9 MS. HARPER: Okay. Okay. Let's get started
10 then on the recreation. Got a handful of bullets
11 here. Number one; adequacy of existing recreation
12 facilities and public access within the project
13 boundary to meet current and future recreational
14 demand. Effects of recreation resources in the
15 vicinity of the project, including semi-remote
16 recreation opportunities and water based recreation
17 in Gilbert Bay.

18 Feasibility of providing new recreation
19 facilities or improving existing facilities located
20 within the project boundary. The effect of
21 construction and operation of a transmission line on
22 recreation resources. Evaluating the compatibility
23 of the project with the semi-remote land use
24 designation for the area. And effects of project
25 operation and maintenance on other land use
26 activities, including hunting and trapping, in the
27 vicinity of the project. So, do we have any comments

1 specifically on these bullets? Yes, Jen?

2 MS. BERGER: Jen Berger with Forest Service. I
3 guess I have a question in the document, the section
4 that refers to rec resources and land use really
5 focuses on input from guides and outfitters, which I
6 think is really going to be beneficial. But I'm also
7 curious as to whether there would be a survey of any
8 sort done for independent recreationists as well? I
9 know we drew a distinction between the personal use
10 fishery and, say, purely recreation fishing. But
11 there are recreation activities like camping and
12 hiking that are associated with those personal use
13 fishing activities. I'd be interested to know what
14 the plans are for getting information from the
15 public.

16 MR. MITCHELL: I have the list of the guides and
17 the people that you've submitted. And so, I have
18 that list. I would have to ask Monte or Shawn, is
19 the list of permit holders for the personal use
20 fishery allowed to be accessed to send them.....

21 MR. MILLER: I believe it should be public
22 information. Shawn, do you have.....

23 MR. MITCHELL: Well, permit holders are
24 sometimes not. That's why I was.....

25 MR. JOHNSON: I don't know, but I could find
26 out.

27 MR. MILLER: Well, big game permit drawings and

1 things are routinely published and put on a website.
2 I see no reason why this would be that -- the -- I
3 think for the purposes of determining use of the
4 project site for both recreation and/or quasi-
5 subsistence personal use activities, I think it could
6 be lumped together to make it a little bit easier to
7 deal with. I know the personal use fishery in
8 central Alaska, you obtain a permit and that has to
9 be resubmitted, it has your name, your information,
10 and the number of fish captured or taken, that type
11 of information. So, they're able to have that to
12 determine catch information and things for management
13 reporting.

14 With a terminal -- what I call a terminal use
15 fishery, which is what this essentially is with these
16 fish coming back to no place, essentially. They're
17 coming back to the area and don't have any ability to
18 complete their life cycle under normal circumstances,
19 thus they are targeted for terminal use or it is a
20 take fishery. I don't know if the management
21 concerns are as great, but I do know they keep track
22 of numbers harvested for management reports. So, I
23 would suspect that those areas should be available,
24 and I would check with the regional -- would that be
25 covered under sport fish, Shawn?

26 MR. JOHNSON: It's comp fish.

27 MR. MILLER: Is it perm -- com fish handles the

1 personal use fishery?

2 MR. JOHNSON: Yes.

3 MR. MILLER: All right.

4 MR. MITCHELL: I guess an answer, Jen, is what I
5 was thinking is that is if I can get access to the
6 data, I might be able to send out something and
7 solicit some input. You know, I don't know what
8 those questions would be or what input I would be
9 asking, but I'd be willing to consider -- you know,
10 the guides and outfitters were easily selected,
11 because they're identifiable, we have their
12 addresses, we can contact them, we know how to -- you
13 know, but we could consider something that's on the
14 personal use fishery users.

15 MS. HARPER: I just want to clarify something.
16 So, it almost sounds like you're asking for a study
17 plan refinement, maybe. Or is this a separate issue
18 we need to discuss?

19 MS. BERGER: Well, I guess I was just curious
20 about what independent recreationists input might be,
21 versus those that are guided or outfitted.

22 MS. HARPER: Okay.

23 MS. BERGER: And whether that might be done via
24 a mail back survey or a telephone survey, or just an
25 onsite survey.....

26 MS. HARPER: Okay.

27 MS. BERGER:during the sockeye season or

1 recreation users that summer.

2 MS. HARPER: Okay. So, maybe splitting one of
3 these bullets into effects and -- on the personal use
4 recreation list versus the.....

5 MS. BERGER: Outfitted and guided.....

6 MS. HARPER:outfitted? Okay.

7 MS. BERGER:clients. So, basically
8 capturing commercial and noncommercial recreation use
9 -- users feedback. Which is greater than just the
10 commercial -- or the personal fishery.

11 MR. MILLER: Oh, absolutely; it's only one
12 factor.

13 MS. BERGER: It's you know, the people that go
14 down and bear view or picnic or explore.

15 MR. MILLER: It's only one factor.

16 MS. BERGER: Yeah.

17 MR. MILLER: I was going to also state that
18 personal use is done by household, and it's permitted
19 by household and household number may be a factor
20 within this. It's not just singled individually.
21 They may be single individual at the site. You know,
22 it's a personal use for a household. And that could
23 be any number of people. That probably would be able
24 to be teased out of the return forms. I don't think
25 you'd get names and things like that. But numbers,
26 size of household, and that type of thing would all
27 be valuable information.

1 MS. HARPER: Okay.

2 MS. MARSHALL: I just want to comment.

3 MS. HARPER: Sure.

4 MS. MARSHALL: Marti Marshall. But we talked
5 earlier that that wouldn't be considered recreation;
6 it would be more the subsistence bent, and the
7 socioeconomic. So, there's that fine line, and our
8 challenge is always -- we can get commercial use
9 figures great. And it sounds like you can get the
10 personal fisheries figures great. It's the
11 noncommercial use that aren't doing the fishing
12 that's our challenge. I mean, we -- so, if you can
13 figure it out.

14 MR. MILLER: Monte Miller again. The -- other
15 places have used trail cams to count people on
16 trails, things like that. In other areas, I've had
17 creel surveys where not everybody is fishing. Some
18 are simply recreating, as in the Lake Roosevelt
19 National Area there with 1.2 million visitors a year
20 and we have to tease out -- or we did where I worked
21 before, tease out the anglers. You do have a
22 mixture. And even those that are personal use
23 fishing, also recreated at the same site at the same
24 time. So, that's what I say, it's an intermix and
25 it's going to be difficult to -- you know, or
26 somewhat complicated to tease out more information,
27 but it's doable.

1 MS. HARPER: Were there any other bullets that
2 needed to be considered?

3 MR. VIGIL: I have a comment with regard to --
4 it's related to this. One of your alternatives,
5 potentially, would be a submerged power cable.

6 MS. HARPER: What's your name?

7 MR. VIGIL: It's Randall Vigil with the U.S.
8 Army Corps of Engineers. And if you were to select
9 the submerged power line as your preferred
10 alternative for permitting, the Corps would need to
11 look at authorizing that under the -- Section 10 of
12 the Rivers and Harbors Act for work conducted in
13 navigable waters. So, you know, these resources and
14 uses could be affected by doing that work. And I
15 would just want to make a statement and let you know
16 that we would need to look at authorizing that under
17 that law, which you haven't included in this. But as
18 a relative law that alternative would be subject to
19 that law.

20 MS. HARPER: So, do you see a refinement of the
21 fourth bullet on the effect of construction operation
22 of a transmission line on recreation resources,
23 looking at.....

24 MR. VIGIL: I don't -- you know, I don't know
25 that it would change that.

26 MS. HARPER: Okay.

27 MR. VIGIL: Other than somewhere probably in

1 your documentation, you would want to address that
2 particular item in terms of that work could be
3 subject to Section 10 of the Rivers and Harbors Act
4 for work in navigable waters.

5 MS. HARPER: Okay.

6 MR. VIGIL: Which, the Corps would, you know,
7 have to authorize that work.

8 MS. HARPER: Okay.

9 MR. VIGIL: You'd still be looking at a lot of
10 the same effects that we've been talking about
11 already. Although, that particular law really has a
12 -- goes towards mainly navigational issues with that
13 work being done and that structure being installed.

14 MS. HARPER: Okay.

15 MR. VIGIL: But secondary impacts would involve
16 land use and resource impact.

17 MS. HARPER: Okay. Okay. Were there any
18 bullets here.....

19 MR. VIGIL: He has his.....

20 MS. HARPER: Oh, I'm sorry.

21 MR. ENRIQUEZ: Yeah, I don't have another
22 bullet, but just a comment on that -- I guess it
23 would be on the first bullet. So -- Richard
24 Enriquez, Fish and Wildlife Service. Sorry. You
25 know, I don't know if everybody's familiar with now
26 what's the going rate for the term of a new license.
27 So, now we have the specialist here. What is it?

1 You know, I mean, I'm just going to ask it to kind of
2 like -- you know, because that would help in terms
3 of, I think, addressing what the term of the license
4 is; is it 25/25? You know, I'm just throwing.....

5 MS. HARPER: Our typical -- do you want to.....

6 MR. BROOKS: Term of the license; it can be 30,
7 40, or 50 years. Most often with new projects are 50
8 years. But it depends on the impacts and we make a
9 determination at that time their -- have to be EA in
10 order to do the licensing.

11 MR. ENRIQUEZ: Okay.

12 MR. BROOKS: So, it could be 50 years.

13 MR. ENRIQUEZ: Uh-huh (affirmative). So, I
14 guess that's my -- kind of my question. You know, if
15 it's 50 years, you know, do that -- does this need
16 current to future to manage that to say that the
17 response we're look to you -- look to be projected
18 out 50 years then or 30 years or what? Can you help
19 out there at all? Because you know, it makes a
20 difference. That's kind of what I'm trying to put a
21 loop around. So, if we don't know, then I guess we
22 don't know. But what's it going to be? You know, is
23 it going to be 20, it's going to be 30, it's going to
24 be 50?

25 MR. BROOKS: This is Keith Brooks at FERC. When
26 the ALP, often when you get together as a
27 collaborative effort, you work out the term you're

1 looking for. And that's often a big issue, because
2 you're absolutely right that if you're -- if it's a
3 50 year period, that's different analysis than 30
4 year. So, hopefully when you're talking in the
5 different work routes or however your meeting, you'll
6 discuss whether Mr. Mitchell is looking for a 50
7 year, which is probably the case, and.....

8 MR. MITCHELL: Yes.

9 MR. BROOKS:if someone else is looking
10 for, you know, a 30, What we don't want to have
11 happen is when the license application comes in and
12 it says, you know, the license application says 50
13 and all the stakeholders thought it was going to be
14 30, that's not going to result in necessarily a
15 popular, you know, document by the different parties.
16 So, you know, we want to -- we would like to know up
17 front, and I'm sure Mr. Mitchell would like to know,
18 and you would like to know with -- just what the
19 period would be. So, we would encourage you to.....

20 MR. ENRIQUEZ: That's it.

21 MR. BROOKS:work that out. And you know,
22 it can be any of those numbers. And you know, again
23 the Commission won't necessarily be bound by what you
24 decide on the years, but if you make a good showing
25 that 50 years is appropriate, you know, we will try
26 to accommodate that.

27 MR. ENRIQUEZ: Yeah. Just to -- well, you know,

1 in order to make a good faith effort to address this,
2 you know -- we would like to know what the -- you
3 know, what the side effects are here. You know,
4 that's all I'm just.....

5 MR. MITCHELL: I can state for Juneau
6 Hydropower, that as the applicant, we're looking at
7 50 years, just of the economic investment to make it
8 economically feasible to prorate it over a longer
9 period of time. Obviously, the infrastructures last
10 longer than 50 years and there are always the
11 opportunities to renew or to tear down the
12 infrastructure. But I can tell you from what our
13 focus has been is has always been onto a 50 year
14 permit.

15 MS. HARPER: I will say this, when we do our
16 econ analysis within the EA, our standard Commission
17 practice is to do it over 30 years. So, even if as a
18 group, collaboratively you decide to seek the 50
19 year, when it comes to terms of evaluating cost, we
20 will be looking at it over a 30 year term. And that
21 really has nothing to do with the length of the
22 actual license term that will eventually be awarded,
23 if any. But just to keep costs consistent, we do
24 look at those over a 30 year period. So.....

25 MR. MITCHELL: The economic.....

26 MS. HARPER: So, yeah -- so, when it gets to the
27 EA stage, when you see 30, we're not tipping our

1 hand; that's just standard. Yes?

2 MS. BERGER: I have one more question on the
3 third recreation bullet.

4 MS. HARPER: Name?

5 MS. BERGER: Oh, Jen Berger, Forest Service,
6 sorry.

7 MS. HARPER: Thanks.

8 MS. BERGER: So, the third recreation bullet
9 talks about feasibility of providing new recreation
10 facilities, et cetera. Is Juneau Hydro considering
11 not only building, but maintaining some recreation
12 facilities, possibly under the terms and conditions
13 of your land use permit?

14 MR. MITCHELL: It's quite conceivable that we
15 would. I mean, that -- it's semi-remote, so I
16 certainly don't want to step on the Forest Service by
17 saying now we have cabins out there, when that's not
18 part of the land use designation. But the fact is is
19 that we're going to have a powerhouse there, we're
20 going to have a road, we're going to have a dock.
21 And those, through the sheer use of the
22 infrastructure to do the hydropower, we're going to
23 have to maintain those. So, it is not inconceivable
24 that we would also be responsible for maintaining any
25 agreed upon improvements. I guess we're open.

26 MS. BERGER: Okay. Thanks.

27 MS. HARPER: Okay. Any other additions or

1 refinements of the bullets? Oh, sorry.

2 MR. ANDERSON: Jim Anderson with DNR Lands.
3 Where do you cover the concern about the commercial
4 shrimpers and crabbers? Is that covered in this
5 section? Or is that covered in another.....

6 MR. MITCHELL: It's in aquatics.

7 MS. HARPER: It's in socioeconomics.

8 MR. MITCHELL: Socioeconomics.

9 MS. HARPER: Yeah. And we'll get to that in
10 just a couple of -- yes, Monte?

11 MR. MILLER: Monte Miller, Fish and Game. You
12 talked about a dock facility, you talked about
13 improving -- potentially improving trails, because
14 they're muddy. This is kind of an access question;
15 by putting new facilities in there, will access be
16 improved to the point where you now will have people
17 bringing four wheelers out there or -- it's kind of a
18 use question, really of -- and what will be allowed
19 going to this project and how will Forest Service
20 look at that. And I mean, I would assume this is a
21 -- you know, is this part of the roadless area at
22 this point? And has there been something worked out
23 with that? Is that going to change? And if it
24 changes a lot for this project, will it then allow
25 access by recreational four wheelers and people to
26 that area?

27 MS. HARPER: Good comment.

1 MR. MITCHELL: I can say is that we weren't
2 looking at any improvements were motorized
3 improvements. That wasn't within our discussions or
4 even in our thinking. It's been more of just
5 improving the usual and customary use of the
6 recreation for what it currently has. Amenable to
7 the Forest Service if they want to expand on that.
8 But motorized access or motorized traffic was never
9 in Juneau Hydropower's scope.

10 MR. MILLER: It's just a curiosity. Sometimes
11 you create something and other unintended things
12 occur. And I don't think anybody's really addressed
13 the potential of motorized coming to there. And it
14 would fall under Forest Service rules, I would
15 expect.

16 MS. MARSHALL: It would. Our travel management
17 -- and whether it would be.....

18 MR. MITCHELL: Name.

19 MR. MILLER: Name, name, name.

20 MS. MARSHALL: Marti Marshall. Whether it would
21 be legal or illegal.

22 MR. MILLER: Right.

23 MS. MARSHALL: But it's a short road. What's
24 the mileage?

25 MR. MITCHELL: .6 miles. It's a little over a
26 half mile.

27 MS. MARSHALL: Yeah, so.....

1 MR. MITCHELL: If -- you know, I'm getting up
2 there in age, but as I get up older, if -- rather
3 than going up and down, I may want to take my boat
4 and use my road as a trail. I mean, it's
5 conceivable. It's like any trail. People tend to
6 use them rather than go through the brush. But you
7 know, there is an issue with access.

8 MR. MILLER: Yeah.

9 MR. MITCHELL: But it's been our thinking that
10 it's walking access, not a -- necessarily a train
11 ride or a motorized vehicle going up and down the
12 road.

13 MR. MILLER: Monte Miller, Fish and Game. I
14 agree with the intent. It just seems like no matter
15 what, people seem to find a way to do things that
16 they really shouldn't. And use of inappropriate
17 equipment is one of those things in an area. You
18 specifically mentioned improvements of the trail up
19 to the area where people do their personal dip
20 fishing. Those improvements, people like to carry a
21 lot of gear, and therefore, that was my major concern
22 with the use of four wheelers or motorized vehicles
23 out there being brung in by boat.

24 MR. MITCHELL: It.....

25 MR. MILLER: Right now, it's a potential -- very
26 difficult thing to land something there. Almost
27 impossible. So.....

1 MR. MITCHELL: Right. And I think with the
2 Forest Service being the land owner, you know, if
3 they don't want motorized vehicles out there, I think
4 there's going to be ways to either put a gate up
5 there, so if even someone does a beach landing, it's
6 going to be difficult for them to have access to it.
7 But you know, one of our things is we're putting up
8 mounds and we're doing things to also not just do
9 mitigation of aesthetics, but also the sound. So,
10 that would be counter to what our proposed
11 infrastructure design would be.

12 MR. MILLER: Thank you for allowing me to ask
13 the question.

14 MS. HARPER: Yes?

15 MR. ANDERSON: Jim Anderson with DNR Lands. As
16 far as the access facilities on state land, a dock in
17 that, in an authorization, we would issue -- Juneau
18 Hydropower would have the ability to protect their
19 facilities by not allowing the public to use them.
20 And that can be -- that's covered in the
21 authorization that we would issue to them. Because
22 you get into those liability concerns and that type
23 of thing. So.....

24 MR. MILLER: This is Monte Miller. I again
25 raise the question where the personal use fishery
26 accessing through the site, will -- if DNR authorizes
27 the Juneau Hydropower to fence their site for

1 protective measures, that could find con -- in being
2 in conflict with use of existing trails up to the
3 personal use fishery sites. So, I know we have a
4 concern there of access.

5 MR. ANDERSON: Right. Outside the area, you
6 know, access would be still available and access
7 through the lease area. But using the improvements,
8 using Juneau Hydro's improvements, they could say no,
9 you can't put your landing craft with your four
10 wheelers on our dock.

11 MR. MILLER: I guess I have to look at actual
12 plans of site features in relation to trails and
13 things like that to determine if there would be an
14 impact.

15 MS. HARPER: And that may be beyond the scope
16 what.....

17 MR. MILLER: Yeah.

18 MS. HARPER:we're trying to nail down
19 today. We've only got half an hour, so I don't want
20 to -- I just want to make sure that we get the issues
21 covered. But is evaluating potential non-authorized
22 access something that.....

23 MR. MILLER: I don't know that it needs to
24 be.....

25 MS. HARPER: Okay.

26 MR. MILLER:in this. I think that the
27 protections afforded by both DNR and Forest Service

1 would cover any.....

2 MS. HARPER: Okay.

3 MR. MILLER:anything under that category,
4 I would assume.

5 MS. HARPER: So, really, it doesn't look like we
6 have any new bullets to add.

7 MS. BERGER: I was just going to add -- Jen
8 Berger, Forest Service. In the case of Lake Dorothy,
9 for example, hydro, they just have in their Roads
10 Operating Plan, you know, the fact that access is
11 walking only for the public. So, that may be an
12 appropriate place to address such things.

13 MS. HARPER: Okay. Okay.

14 MR. BROOKS: And this is Keith Brooks from FERC.
15 Often we don't like to fence in recreation areas. In
16 other words, walk in we would encourage. But when
17 you fence it in and its project boundaries, you know,
18 there's a problem, I think, with the license itself.
19 So, we would probably go along with that in the
20 Recreation Plan where the Forest Service said only
21 for walk in use only.

22 MS. RODMAN: Okay. Mr. Mitchell, are you
23 considering -- you and the other stakeholders
24 considering why convening something like a study
25 group to hash out what people want to do with some of
26 these issues like recreation? Like, does the Forest
27 Service want to do it or is the state happy with it?

1 Because that is often a part of an ALP.

2 MR. MITCHELL: It is. And it hasn't come up
3 yet, but what we're -- what I've done is we've issued
4 study plans and issued them out to the agencies for
5 comments and we incorporated them. What I can tell
6 you is that even in a formal versus informal basis,
7 if, like the for -- like as we were talking about
8 this particular issue, if someone from the Forest
9 Service, someone from Fish and Game, from Juneau
10 Hydropower are more than willing to sit down and kind
11 of put our own rules to the road, so to say, or what
12 is -- What we all agree on a collaborative basis.
13 So, it's not formal, but we could definitely -- if an
14 issue comes up that demands a group to do that,
15 absolutely. It's within the ALP. And then we're
16 more than willing to put the time and resources and
17 efforts at it. I haven't put out a recreational plan
18 at this point, and I haven't put out some other
19 plans. And so, What I take from these, just like I
20 did the agency comments before, is I take everything
21 that comes off the videotape and off the written
22 comments and I incorporate that in. So, just by the
23 sheer fact that it's on videotape and it's been
24 brought out, now this component is going to be in our
25 recreational study.

26 MS. RODMAN: Okay. Because I could foresee the
27 Forest Service wanting to have, you know, discussions

1 among themselves about, wow, you know, this is an
2 opportunity and a problem, how would we want to
3 handle it. And then go to you, talk to the other
4 agencies, perhaps talk to the public. I don't know
5 if they're -- if such an interest would show up. And
6 try to hammer out what is -- what the recreation
7 proposal or lack of proposal should be.

8 MS. HARPER: Okay. So, really no change to the
9 bullets, then, in recreation. Okay. We'll move on
10 to aesthetics, then. These are pretty broad.
11 Effects of project construction, facilities, and
12 operation on the aesthetic values in the vicinity of
13 the project, including Lower Sweetheart Lake,
14 Sweetheart Creek, areas visible from Gilbert Bay, and
15 areas along the transmission line corridor. And the
16 effects of noise and lighting in the project area
17 resulting from construction and operation of the
18 project.

19 MR. MITCHELL: And maintenance.

20 MS. HARPER: And maintenance. Yes. Let's not
21 forget maintenance. So, were there any additions in
22 terms of aesthetics? Any changes other than adding
23 maintenance? Okay. Moving on to cultural then.
24 Okay. Okay. You've got it. So, effects of project
25 construction and operation on the project's area of
26 potential effects. Which, again, I think most of you
27 are fairly with the FERC process. But the APE for

1 cultural may be different from the project boundary.
2 So, just keep that in mind. Effects of project
3 construction and operation on historic and
4 archeological resources that are listed or considered
5 eligible for inclusion in the national historic of --
6 National Register of Historic Places.

7 Effects of project construction and operation on
8 properties of traditional religious and cultural
9 importance to Native Alaskan tribes. And the effects
10 of project construction and operation on subsistence
11 resources, including hunting, fishing, and gathering
12 and associated areas. So, I know this is come up
13 earlier where -- with the idea of the personal use.
14 Does this fit here or is it a better fit in
15 socioeconomics?

16 MR. MITCHELL: This is -- and I can just speak
17 -- the word subsistence means different in New York
18 than it does in Alaska. And I see a bunch of people
19 shaking their heads. And subsistence is a trigger
20 word for different things. So, our videographer is a
21 former president of ANB and I'm sure he could give
22 definitions of subsistence. I see that, you know,
23 subsistence depending on how it's used with the
24 cultural resources, you know, I'm open to -- as the
25 applicant to put that anywhere. It needs to be
26 addressed. It's just, where does it get put?

27 MS. HARPER: Uh-huh (affirmative).

1 MR. MITCHELL: Is -- because the Fish and Game
2 calls it a personal use fishery, it is not a
3 subsistence fishery.

4 MR. MILLER: Monte Miller, Fish and Game. Since
5 the subsistence provisions were taken by the federal
6 government, there's a different definition between
7 state and federal. Certain areas of the state are
8 defined as subsistent relevant areas. Other areas
9 are considered to be urban, and thus the state has an
10 issue with personal use in some of those areas to
11 allow for harvest of salmon in other than a sport or
12 commercial manner. They both serve the same
13 function.

14 MS. HARPER: Okay.

15 MR. MILLER: It just happens to be where the
16 households are located. Personal use fisheries are
17 more -- I won't say more regulated, but are handled
18 differently than subsistence use on the true
19 conventional federal scale.

20 MS. HARPER: Okay.

21 MR. MILLER: But in a way, they serve the same
22 purpose.

23 MS. HARPER: Uh-huh (affirmative).

24 MR. MILLER: But to different regions of the
25 state, which also have different socioeconomic, you
26 know, situations.

27 MS. HARPER: Uh-huh (affirmative).

1 MR. MILLER: So, you know, it could go in either
2 or both areas.

3 MS. HARPER: Okay.

4 MR. MITCHELL: And I think that might be the
5 best ways, because if we leave it under cultural
6 subsistence and maybe address under -- and leave the
7 other thing more of a personal use. Because someone
8 could apply to the Forest Service, I think, for a
9 permit to go do traditional or customary berry
10 gathering or medicinal or other.....

11 MR. MILLER: Correct.

12 MR. MITCHELL: purposes, which would fall
13 underneath, maybe, the cultural resource aspects.

14 MR. MILLER: I would be comfortable, maybe, with
15 it under both and addressing those features.

16 MS. HARPER: Okay.

17 MR. MILLER: I think that the fact that it's
18 recognized that this is a unique area with regard to
19 that, the situation is important, as well. So, thank
20 you for acknowledging that.

21 MS. HARPER: Would it be appropriate, then,
22 under that fourth bullet to just add in personal use?

23 MR. MILLER: Subsistence and personal use? I
24 think that would be acceptable to me.

25 MS. HARPER: Okay.

26 MR. MILLER: I don't know.

27 MS. HARPER: Okay.

1 MR. MITCHELL: Do you?

2 MS. HARPER: Yes.

3 MR. CHESTER: I guess, you know, as a Forest
4 Service analyst.....

5 MS. HARPER: Name, please.

6 MR. CHESTER: Dennis Chester, Forest Service. I
7 typically do subsistence analysis for the Forest
8 Service. And it's very specific to ANILCA in section
9 8.10 for a NEPA project. So, maybe including -- and
10 under ANILCA or, you know, some of that kind of
11 wording will help define what you're specifically
12 talking about. Because, yes, subsistence in a
13 general sense, could be lots of things. Socio-
14 cultural resource related; I, you know, analyze it
15 more for resource. But it certainly is cultural and
16 economic effects as well. So, you know, from our
17 standpoint, it's very much an ANILCA 8.10 driven
18 analysis. But there's certainly other things that
19 could be covered from the state's perspective, and
20 just from the general analysis standpoint. So.....

21 MS. HARPER: Okay.

22 MR. CHESTER:maybe that'll help clarify
23 somewhat.

24 MS. HARPER: Okay. Okay. Were there any other
25 comments or any changes or additions to the bullets
26 under cultural? Okay. All right. Fantastic. We're
27 starting to make up some time here. This is looking

1 good. Okay. So, socioeconomics.....

2 MR. VIGIL: Randy Vigil, Corps of Engineers. I
3 think maybe this would be a good spot to put
4 something for effects to navigation as a result
5 to.....

6 MS. HARPER: Okay.

7 MR. VIGIL:submerged transmission line.
8 It's like one I talked about earlier about Section
9 10.

10 MS. HARPER: Okay. Fantastic. And obviously,
11 here, we wanted to list both the subsistence and
12 personal use -- effects to both subsistence and
13 personal use fishing, hunting, gathering within the
14 project area as a socioeconomic line item, as well.
15 Is that the consensus from the talks leading up to
16 this point?

17 MS. ADAMS: You probably should be -- Barb Adams
18 from the Forest Service. And I had to be called out
19 for just a few minutes. But I also wanted to point
20 out that anyone in the neighboring communities that
21 are in subsistence communities can come to the
22 Sweetheart area and collect their subsistence, fish
23 or whatever, it's not just the Juneau people going
24 down for personal use. So.....

25 MS. HARPER: Okay.

26 MS. ADAMS: That's something where, if people
27 want to travel there from the communities that can

1 have subsistence, they certainly can collect their
2 subsistence fish there.

3 MS. HARPER: Okay.

4 MR. DEATS: Ted Deats, DNR. I would also say,
5 on a broader scale, we'd like to see some of how much
6 oil and coal will not be burnt and how that will
7 affect -- the amount of carbon dioxide that will not
8 be released as a positive socioeconomic, as opposed
9 to the alternative construction.

10 MS. HARPER: Have we been putting that in our
11 documents?

12 MR. BROOKS: Greenhouse gas?

13 MS. HARPER: Yeah.

14 MR. BROOKS: We've gone back and forth; I'm not
15 sure what.....

16 MS. RODMAN: We have been -- this is Dianne
17 Rodman of FERC. We had been putting a statement
18 similar to that in, I think, developmental resources,
19 which Jen would do. But it -- as Keith said, we go
20 back and forth over whether.....

21 MS. HARPER: Yeah.

22 MS. RODMAN:we put that language in there.

23 MS. HARPER: We've not typically been
24 quantifying that amount. But we do a broad general
25 statement. As to whether or not we would quantify
26 that amount, that may be for internal discussions.

27 MR. BROOKS: Right. There's some issues -- this

1 is Keith Brooks from FERC. There were issues
2 previously, just the validity of the quantification
3 that we did of the savings and greenhouse emissions
4 and carbon emissions. So, that's why we've gone back
5 and forth, so we can -- you know, we can discuss it
6 as other issues and, you know, EA if the group feels
7 that that's appropriate. But I'm not sure how much
8 specific, you know, quantification we would have in
9 that kind of discussion.

10 MR. MITCHELL: As the applicant, Juneau
11 Hydropower, Duff Mitchell here, I would just like to
12 point out that in our PAD and in our previous
13 documents filed, the CBJ, which is the City and
14 Borough of Juneau, which this is a county government,
15 for those outside of the state, we're boroughs. They
16 have a global -- they have a Climate Action Plan, and
17 they also have documents passed and -- by the
18 assembly. And so, I've included those already.

19 And so, I don't think that, because of the
20 political nature of our community -- or just that we
21 have even a Sustainability Commission that addresses
22 greenhouse gases, that it wouldn't be un-ordinary,
23 because this project is located within the City and
24 Borough of Juneau to at least have some addressing of
25 that. I mean, it's more worked for us, and I agree
26 with you, Keith, on the methodology. Because how do
27 you quantify here versus here? It would have to be

1 agreed upon. But you know, the -- our community is
2 one of the few nationwide that actually has a
3 Greenhouse Reduction Plan instituted by its municipal
4 government. So, I don't know if that has any bearing
5 on whether or not we should include that or not. I
6 defer that to FERC.

7 MR. MILLER: Monte Miller, Fish and Game. In
8 other applications from other projects, many times
9 they do include a description and a quantification of
10 both carbon dioxide and NOX in their plans. However,
11 most of the time, they base that on maximum
12 production, so the numbers are always inflated and
13 might not be representative in -- that would be --
14 you know, when I see that in applications or in other
15 documents, I usually call that into question as being
16 relevant and being reflective of what truly is
17 appropriate. So, I like Jennifer's statement of
18 we're kind of going away from using numbers. Yes,
19 there is -- there would be a reduction, but to
20 quantify that is very speculative.

21 MR. MITCHELL: Well, in our.....

22 MR. MILLER: Or somewhat speculative.

23 MR. MITCHELL: And I agree with you. And that's
24 why I go back to the methodology. The methodology is
25 critical, because otherwise you have pie in the sky
26 guesstimations versus what is actual or what is
27 scientifically reasonable.

1 MR. MILLER: Uh-huh (affirmative).

2 MR. MITCHELL: So -- but in our economics of
3 understanding the Juneau market, this building's
4 heated, I believe, by diesel. We have 76 percent of
5 the energy consumed in the City and Borough of Juneau
6 is on diesel. And so, you know, it's within reason
7 to at least acknowledge the fact that it offsets some
8 of that.

9 MS. HARPER: And it is acknowledged in the need
10 for power section in our EAs. It just, we typically
11 don't put a hard fast number with that.

12 MR. MITCHELL: Sure.

13 MS. HARPER: Let's see. I didn't read off all
14 the bullets that we have here. I kind of got
15 distracted for a moment. So, effects of project
16 construction operation on local tribal and regional
17 economies, effects of the submarine cable
18 transmission route on commercial harvesters of
19 salmon, crab and shrimp. Effects of the project on
20 local guides and outfitters. And then we've added
21 effects on personal use and subsistence within the
22 project. And we've added effects to navigation from
23 submerged transmission lines. Were there any other
24 additions in this section?

25 MR. MITCHELL: Did you want to address the
26 difference (indiscernible)?

27 MS. HARPER: Anything here we need to take off

1 the list? Okay. Okay. Did you guys have any.....

2 MR. MITCHELL: Well, you want to just throw out
3 the -- she -- our wildlife specialist also has some
4 information on the personal use versus subsistence.
5 So, I just wanted to.....

6 MS. NEEDHAM: I just pointed out -- Cathy
7 Needham, Kai Environmental. I just pointed out to
8 Duff that I thought it might be most appropriate to
9 keep subsistence under cultural resources for the
10 reasons that Dennis Chester had explained in terms of
11 what governs and the fact that those resources would
12 be available to Alaska Native and non-rural residents
13 of Alaska. And it's also managed by the federal
14 government. And then keeping the personal use
15 fishery specific stuff under the socioeconomics
16 section, since it kind of goes towards more in
17 managing populations, and some of that stuff will
18 overlap with aquatic resources, of course.

19 MS. HARPER: Okay.

20 MS. NEEDHAM: And it's managed by the state.

21 MR. MILLER: This is Monte Miller, Fish and
22 Game. I would also like to point out that, you know,
23 Alaska Natives also live in urban communities and
24 don't qualify for subsistence. They also fish under
25 personal use fisheries. So, this -- it -- muddy's
26 the mix, so to speak.

27 MS. NEEDHAM: But I'm might add to that that any

1 rural community can apply for customary and
2 traditional use of subsistence resources outside of
3 their immediate area and it would go through ANILCA
4 and Section 10 analysis. And so, there may be a time
5 where this area could be considered for subsistence.

6 MR. FLUETSCH: Could I get a tape time-out?

7 (Whispered conversation)

8 MR. MITCHELL: Yeah, is -- Brad, are you on?

9 MR. FLUETSCH: Go ahead.

10 MR. MITCHELL: Okay. As the people that aren't
11 from Alaska can tell, this -- there's a lot of
12 opinions around subsistence and, you know, our --
13 Cathy happens to sit on the RAC, which is the
14 Regional Council.....

15 MS. NEEDHAM: Regional Advisory Council for
16 federal subsistence.

17 MR. MITCHELL: The Regional Advisory Counsel for
18 Federal Subsistence. And of course, it's been a
19 issue where we almost have a constitutional amendment
20 on subsistence that just -- it never got there. But
21 I'm just saying it was big enough that it's an issue.
22 And the feds -- and it's a fed/state issue. So, as
23 the applicant, I'm totally cool with addressing both
24 from whatever venue that we need to do to keep it --
25 to acknowledge and to respect both -- both views.

26 MR. SCHWARZ: Terry Schwarz. This is a totally
27 different thing from the personal use subsistence

1 thing. This area's been looked at from DNR's
2 perspective for bulk water export use. So, as a
3 socioeconomic thing, I'd like to maybe have that
4 addressed.

5 MS. HARPER: I'm sorry, water export?

6 MR. SCHWARZ: Bulk water export.

7 MS. HARPER: Oh. Okay.

8 MR. MITCHELL: Now, do I have a say as the
9 applicant to say.....

10 MR. SCHWARZ: Yeah, I don't know where. But
11 we've had a few people approach DNR looking at bulk
12 water export from Snettisham, Turner Lake, Peace Lake
13 (ph), and I'm 50/50 about Sweetheart.

14 MS. HARPER: Well, and maybe this is something
15 other people on staff know more about. Do they have
16 to apply for a permit or.....

17 MR. SCHWARZ: For the water right, yes, they do.

18 MS. HARPER: Has anyone applied for a permit to
19 do this?

20 MR. SCHWARZ: Not on -- we're not sure about
21 Sweetheart, but they have preliminary applications in
22 for Snettisham.

23 MS. HARPER: So, a preliminary? Okay.

24 MR. MITCHELL: We're going to try to have a non-
25 consumptive use where it is our goal to return the
26 water right below the barrier falls and to improve
27 salmon habitat. And it's not within our economic

1 model, but I don't know how that -- I'm just trying
2 to figure out how, as an applicant, how I address
3 that particular.....

4 MR. SCHWARZ: Well, I think just saying that
5 you're a non-consumptive use and you're point of take
6 and point of return, that sort of thing, and how that
7 may affect.....

8 MR. MITCHELL: Got you.

9 MR. SCHWARZ: It's a long shot, but I think it
10 fits into this category.

11 MS. HARPER: Could conceivably that fall under
12 bullet one, regional economics?

13 MR. SCHWARZ: That's exactly What I was
14 thinking.

15 MS. HARPER: So, this doesn't need its own line?

16 MR. SCHWARZ: It doesn't need its own line, just
17 something to be aware of.

18 MS. HARPER: Okay.

19 MR. SCHWARZ: Which, I think that's what this is
20 all about.

21 MS. HARPER: Okay. Okay. Were there any other
22 bullets we need to add under the socioeconomic?
23 Anything else we needed to look at?

24 MS. FISHER: Evelyn Fisher. I was just curious,
25 this question is for the Corps, why Section 10 would
26 fall under socioeconomic? Is it because of the
27 labor that would be going on in the navigable

1 waterway? Or.....

2 MR. VIGIL: Well, it just kind of fits there as
3 far as the outline goes. Sorry, Randy Vigil, Corps
4 of Engineers. You could put it as its own section,
5 even. It's -- if you're just trying to fit it
6 someplace. It kind of relates to that section,
7 because potentially installation could have temporary
8 effects to navigation and navigable waters by, you
9 know, fishing boats, pleasure boats, other uses that
10 I can't think of right at the moment. You could also
11 have long term effects to aquatic resources, as well,
12 once you submerge the line and it's transmitting
13 power. It potentially could have some effect to
14 animals or vegetation or whatever have you. I don't
15 know. But it seemed to fit better there than when I
16 first brought it up at the other section. So, it --
17 I'll leave it up to Duff and whether he wants to
18 change his outline and put it someplace else or not.

19 MR. MITCHELL: I think that, you know.....

20 MR. VIGIL: I'm not looking for an answer right
21 now.

22 MR. MITCHELL: Yeah.

23 MR. VIGIL: So.....

24 MR. MITCHELL: I think you're right that we
25 didn't -- the Section 10 navigable issue needs to be
26 thrown in there, like you said. You know, the
27 primary purpose is one, but the secondary purpose

1 also could affect the commerce aspects with fishermen
2 and the resource base. So.....

3 MR. VIGIL: Yeah, anchoring, typically. There's
4 submarine cables from Snettisham and other places
5 where, you know, boats can -- if they're not
6 submerged, if they're not buried, you know, they can
7 entangle in anchors and other things.

8 MR. MITCHELL: Well, and there's beam trawling
9 going out there, which is actually dragging of a
10 shrimp trawl down there, and that would probably
11 preclude them for two reasons. One, you don't want
12 to tangle your beam trawl and lose your beam trawl on
13 a cable that won't give. And secondly, it displaces
14 them if that was through key grounds.

15 MR. VIGIL: Uh-huh (affirmative).

16 MR. MITCHELL: So, I mean, it would have a
17 socioeconomic impact on that particular operation.

18 MS. HARPER: Okay.

19 MR. BROOKS: Excuse me, Jen. On that subject,
20 down the road, we have a proposed EA outline and we
21 talk about the statutory and regulatory requirements,
22 you know, at some point, you know, on this list we
23 don't have Section 10 in the River and Harbors Act.
24 So, you could include -- you know, there would be
25 something there just as part of the statutory
26 requirement.

27 MS. HARPER: Okay.

1 MR. BROOKS: And so, it's like -- right now it
2 says 1.3.7's other regulatory requirements you could
3 specify the Section 10. And we would do that, you
4 know, later on in the process anyway.

5 MS. HARPER: Great.

6 MR. MILLER: Monte Miller, Fish and Game.
7 Something else has come to mind under several
8 sections, and that's the effect of EMF from submarine
9 cables on fish sources, on marine mammals, those
10 types of things. And they're typically included in
11 these sections where we have submarine cables. And I
12 see -- you know, I'm looking at some other paperwork
13 that I'm working on, but we have it under fisher's
14 resource, we have it under marine mammals and sea
15 birds, that type of thing. So, there's several
16 sections that EMF is a concern with regard to cables.

17 MS. HARPER: Okay.

18 MR. MITCHELL: Well, I'd certainly love to know
19 which route to take.

20 MR. MILLER: You're going to have it which ever
21 route you take, because you have.....

22 MR. MITCHELL: Yeah, because we have two
23 sections.....

24 MR. MILLER:two -- yeah.

25 MR. MITCHELL:two sections assigned.

26 MR. MILLER: It's applicable to both routes.

27 MS. HARPER: Okay.

1 MR. MILLER: Does everybody know what EMF is?

2 I'm sorry?

3 UNIDENTIFIED VOICE: No.

4 UNIDENTIFIED VOICE: I don't.

5 MR. MILLER: Okay. It's electromagnetic
6 frequency -- or fluctuation. It's the electrical
7 fields that these cables produce that can effect
8 everything from sonar activities to fishes ability to
9 navigate, marine mammal conversations, things like
10 that. I mean, everything.

11 MS. HARPER: Okay. Were there any other changes
12 to this section? Okay. I realize we've ran a few
13 minutes over, and I really appreciate everyone's
14 patience.

15 Developmental resources; in every EA we have
16 chapter four, where Commission staff, and on this
17 project that will be me, look at the cost of
18 construction, the cost of all environmental measures,
19 the cost of the power that's actually produced. And
20 we sort of, using our internal models, come up with
21 how much money on an annualized basis the project
22 would make from the production of its power.

23 In order for us to do that, we have to have cost
24 from the applicant for their construction, they're
25 projected operations and maintenance, and the cost of
26 all proposed environmental measures, including
27 studies and that sort of thing. So, typically these

1 two bullets are fairly standardized for all of our
2 scoping documents. Effect of recommended
3 environmental measures on project generation and
4 economics. So, if anyone was looking at flow --
5 bypass reach flows, flows for fish attraction,
6 anything that would take away from how much water
7 could theoretically be put down the turbines, that's
8 one thing we would look at. Again, cost of
9 environmental measures, cost of recreation measures.
10 And also the effects of project construction,
11 operation, and maintenance on the project's
12 economics.

13 So, you know, all of these things have to do
14 with how much power can be produced. Again, this
15 section's pretty standardized. If anyone has
16 anything specifically they want to add here. But if
17 you are proposing a study or you're proposing a
18 measure and you know how much that's going to cost,
19 it's helpful to go on ahead and include that. It's
20 -- it just makes -- the better information we get,
21 the better our analysis is. So, even though we're no
22 where near the EA stage yet, I just -- seems how I'm
23 the one who's going to have to put the model
24 together, I appreciate whatever data can be provided.
25 So, do we have any additions to this section? Okay.
26 Okay. In that case.....

27 MR. MILLER: I do have one thing. Monte Miller.

1 And I don't know if it was covered adequately under
2 terrestrial. But the effect of transmission line
3 construction on inner tidal and shoreline communities
4 and habitat.

5 MS. RODMAN: Let's see, where are we?

6 MR. MILLER: I don't know if it was adequately
7 covered.

8 MS. RODMAN: I don't think it's listed as such.
9 I was trying to think where I would put it.

10 MR. MILLER: And that's why I was trying to go
11 ahead bring this up here.

12 MS. RODMAN: Yeah.

13 MS. HARPER: Okay. So.....

14 MR. MILLER: I think we've covered the effects
15 of transmission line and construction and maintenance
16 on terrestrial resources, including vegetative
17 communities, wildlife, and wetlands.

18 MS. HARPER: Yeah.

19 MR. MILLER: But the inner tidal and shoreline
20 communities and habitats are also -- or should be
21 addressed. And also, I wonder, was the effects of
22 transmission line, construction and maintenance
23 activities on the establishment and spread of
24 invasive species adequately added into that?

25 MS. RODMAN: I would put that under.....

26 MR. MILLER: It's under terrestrial.

27 MS. RODMAN: Under -- yeah, we put that under

1 terrestrial. And I can't remember, Mr. Mitchell, are
2 you going to be preparing some sort of a weed plan?

3 MR. MITCHELL: I think there is a -- I'd have to
4 go back to the beginning of the plans that we had.
5 My mind is kind of gummy right now, but there is
6 addressing of that in our -- I know we've addressed
7 it. Whether or not we said Noxious Weed Plan, I'd
8 have to go back up to the beginning of the proposed
9 environmental measures under terrestrial. Develop a
10 Vegetative Management Plan that would also include
11 monitoring of invasive species.

12 MS. RODMAN: Okay. Yeah. So, it would -- I
13 would encourage you to think of every inch of the
14 project, and that would include the transmission
15 lines. The other thing that we've been talking about
16 is borrow and spoil areas. This has come up on other
17 projects, making sure that borrow -- any borrow
18 material is not full of, like, weed propagules and
19 making sure that your weed control plan covers spoil
20 areas. So, when you consider invasive plants, please
21 try to think of everything. And I suspect the Forest
22 Service will probably help you on that, too. As a
23 matter of fact, if you don't propose it, they'll
24 probably require it.

25 UNIDENTIFIED VOICE: Yep.

26 MS. RODMAN: Yep.

27 MR. MILLER: Monte Miller. I've seen that in

1 Forest Service terms and conditions on most -- on
2 every project in Southeast Alaska. So, I'm sure.....

3 MS. RODMAN: I'm not surprised.

4 MR. MILLER:it will be handled. But to
5 not put it in this document, I think leaves it up in
6 the air.

7 MS. HARPER: Ellen?

8 MS. ANDERSON: Ellen Anderson, Forest Service.
9 Forest Service does now require an invasives plants
10 risk assessment. And that would be done after
11 surveys are done -- have been done to see what might
12 be there presently. And then that takes into
13 consideration sources outside of the project area
14 that might be introduced. And it also talks about
15 mitigation measures from cleaning equipment before it
16 gets there.

17 MS. HARPER: Yeah.

18 MR. MITCHELL: Yeah.

19 MS. ANDERSON: You know, and not bringing things
20 in from the outside. So, that's part of the Botany
21 Study Plan. So.....

22 MS. RODMAN: I would think that that would be
23 the sort of -- I haven't seen the kind of risk
24 assessment you're talking about. But I would assume
25 that that would be a very good thing to have in front
26 of you when you're doing a NEPA analysis.

27 MS. ANDERSON: Oh, yeah. It's pretty elaborate.

1 Uh-huh (affirmative).

2 MS. RODMAN: Yeah. Okay. So, that would be
3 something therefore that we'd like to see in the
4 application to give you an idea of the timing.

5 MR. MILLER: Monte Miller, Fish and Game. I
6 totally agree. And you bring up an excellent point
7 in that equipment and things brought in need to be
8 cleaned prior. Too many places, invasive stuff comes
9 in inadvertently through -- even unintentionally in
10 firefighting from water bucket pickups and drops to a
11 different watershed, and from equipment and vehicles.
12 Even in areas where fire suppression is done, all
13 equipment is thoroughly washed over and under,
14 including jet stream undercarriage to remove any
15 potential transporting seeds or little critters,
16 even.

17 MR. MITCHELL: Right.

18 MR. MILLER: I mean, you know, we deal with
19 things that sometimes we don't understand. You could
20 bring a piece of equipment in from the lower 48
21 that's been used on a lake or an area down there
22 where spores for Whirling Disease are present that
23 could come in in the mud on a vehicle dried up, and
24 then be reactivated. And then suddenly you now have
25 an outbreak of a very devastating disease to aquatic,
26 you know, fisheries resources. Totally
27 unintentional, but it can happen. So, that is very

1 important and I thank you for bringing that up,
2 because I think that is a major part of any
3 construction project.

4 MS. ANDERSON: Ellen Anderson, Forest Service.
5 I'd like to also -- I'm particularly involved with
6 invasive plants. But there are other species, non-
7 plant species that I think need to be addressed,
8 also. And the Whirling disease.....

9 MR. MILLER: Yeah.

10 MS. ANDERSON:New Zealand mud snails, wild
11 wa -- on down the line. I think we need to be aware
12 that there are other invasives, also that -- not just
13 plants.

14 MS. HARPER: Okay.

15 MS. ANDERSON: So, I don't know who would cover
16 that, if that would be Fish and Wildlife or.....

17 MR. MILLER: Combination, probably.

18 MS. ANDERSON: Yeah, everybody should be in on
19 it.

20 MR. MILLER: I mean Alaska Fish and Game -- this
21 is Monte Miller, is very concerned with invasive
22 species. As is many places in the lower 48 where you
23 have your Asian Milfoil.....

24 MS. ANDERSON: Right.

25 MR. MILLER:you have, through the Columbia
26 River system, an invasive crayfish that has taken
27 over now.

1 MS. ANDERSON: Yep.

2 MR. MILLER: Is it necessarily a bad thing?
3 That remains to be seen. But it's an invasive
4 specie.

5 MS. ANDERSON: Yeah, look at -- this is Ellen
6 Anderson. Look at that whole saltwater critter
7 that's fouling one of the harbors in Sitka now. It's
8 moved up from Seattle.....

9 MR. MILLER: Yeah.

10 MS. ANDERSON:it's up here now.

11 UNIDENTIFIED VOICE: Is that (indiscernible)?

12 MS. ANDERSON: Tunicates.

13 MR. MILLER: Yeah, it's the tunicate worms.

14 MS. ANDERSON: You know, so there's -- I mean,
15 it just shows up.

16 MR. MILLER: Yeah, it is becoming a much greater
17 concern throughout the resource agencies and the
18 state -- all states, basically. So -- and the
19 federal government, as well.

20 MS. HARPER: Did you have a comment?

21 MR. MANNING: I did. Joe Manning from the
22 Forest Service. Just curious, is reclamation any
23 part of your planning. I mean, I know that --
24 granted, that's a long way in the future, hopefully
25 if it happens. But you -- for instance, I'm thinking
26 the dam, when you get into your sediment mitigations,
27 there may be some accumulation at the bottom. Do you

1 plan to remove the dam? Or.....

2 MR. MITCHELL: Plan on refiling the 50 years,
3 but I won't be around for it.

4 MR. MANNING: Okay.

5 MR. MITCHELL: I'll be honored.

6 MS. HARPER: Are you talking about the sediment
7 buildup?

8 MR. MANNING: I was just curious if there was
9 any -- like, will the dam remain there in perpetuity
10 or.....

11 MR. MITCHELL: Well, you know, at the time of
12 re-licensing, you know, you have to go through this
13 whole process again.

14 MR. MANNING: Sure.

15 MR. MITCHELL: And that -- it becomes one
16 alternative at that point is to -- and I -- and your
17 sedimentation issue is genuine. And I mean, the
18 Salmon Creek has to deal with that right now as they
19 do their re-licensing, because it's -- the water
20 resource is now not near what it originally was, due
21 to the sedimentation. How I approach it in this
22 study, other than the fact that it has to be
23 acknowledged and it's out there, I don't know how I
24 incorporate that into my NEPA now. Except that, at
25 some point in the future, that dam is either going to
26 go away or it's going to be re-licensed.

27 MR. MANNING: Right.

1 MR. MITCHELL: Or re-licensed and refurbished to
2 a different standard or whatever is required with the
3 laws in 50 years.

4 MR. MANNING: I just -- it's just my personal
5 (indiscernible) thing as a geologist it -- you know,
6 eventually it will come down. And granted, it's.....

7 MR. MITCHELL: Could come down from an
8 earthquake.

9 MR. MANNING:likely not in either of our
10 lifetimes. Right. And it's a.....

11 MR. BROOKS: As Duff said, on re-license, you
12 know, that they -- if the app -- if the licensee at
13 that time decides not to re-license, there would have
14 to be a restoration of the site to what it was
15 previously or.....

16 MR. MANNING: Okay.

17 MR. BROOKS:at least.....

18 MR. MANNING: Okay.

19 MR. BROOKS:there -- that's the part of
20 the re-licensing process.

21 MR. MANNING: So, that language wouldn't be at
22 this stage?

23 MR. BROOKS: No, that would be at the next, you
24 know, Duff's.....

25 MR. MITCHELL: 100th year birthday.

26 MR. BROOKS: So -- but it would be part of the
27 process. In other words, you know, we've had many

1 re-licenses, and that's what they're looking at at
2 that point.

3 MR. MILLER: Your point is well taken. And we
4 have -- this is Monte Miller, Fish and Game. In
5 Ketchikan, for example, is Connell Dam, which was
6 originally the water supply dam for the mill down
7 there, which is long gone. And dam safety has become
8 an issue. It has been recently sold and now is going
9 to be potentially refurbished. With those sediment
10 issues and things, it's been a major factor on what
11 to do with that dam. So, I think the question is
12 very relevant.

13 MR. MITCHELL: Oh, it is.

14 MR. MILLER: And.....

15 MR. MITCHELL: I'm just trying to figure out how
16 to put it into.....

17 MR. MILLER:it's not something -- yeah.
18 It's not something -- when they built that dam in the
19 1950s for the -- for Ketchikan Pulp, they didn't
20 anticipate that it would fill up the way it has
21 behind it, but it has happened. So -- and now
22 they're gone and another player has to assume the
23 responsibility for that. We're hopeful that that
24 will happen, but that remains to be seen. But I
25 agree with your.....

26 MR. MITCHELL: I'm thankful that the water at
27 Sweetheart Creek tends to be clear and you can see to

1 the bottom.

2 MR. MILLER: Yeah.

3 MR. MITCHELL: As opposed to, like, Nugget Creek
4 where if you go hiking up there where they used to
5 have another hydropower. And you look at the pipe
6 today as it cuts off, half of it's sand and silt.

7 MR. MILLER: Yeah.

8 MR. MITCHELL: So, I mean, a lot of it has to --
9 is going to depend on the.....

10 MR. MILLER: The watershed.

11 MR. MITCHELL: Yeah.

12 MR. MILLER: Well, you have a much larger
13 watershed there than some of these other small areas
14 do. So, you do have a chance for things to settle
15 out before they become a major issue.

16 MR. MITCHELL: And that's one thing in our
17 engineering.....

18 MR. MILLER: Is there a depth on the lake, by
19 the way?

20 MR. MITCHELL: Yeah, it's actually about -- and
21 I'm -- about 450 feet deep from it's top. So.....

22 MR. MILLER: So, basically, it's -- the bottom
23 of the lake is pretty much.....

24 MR. MITCHELL: About 100 feet.....

25 MR. MILLER:even with tidewater?

26 MR. MITCHELL: It's about 100 feet higher.

27 MR. MILLER: About 100 feet higher?

1 MR. MITCHELL: Yeah, it's not -- it doesn't --
2 if the curr.....

3 MR. MILLER: So, there's a very large settling
4 opportunity in that lake?

5 MR. MITCHELL: That's correct. The other thing
6 is is that as we design the syphon out take for
7 fisheries issues, we also want to also consider the
8 syphoning effect and the thing -- where the geology
9 is such so that it would be better on rock rather
10 than sucking out sand or creating the sed -- you
11 know, the sedimentation issues.....

12 MR. MILLER: Yeah.

13 MR. MITCHELL:that you raise are -- you
14 know, the Three Gorges Dam is now dealing with. And
15 that's a huge thing is dealing with a huge
16 sedimentation issue. So, I mean, it's not only for
17 the environment, but it's also for the engineering
18 aspects that needs to be considered. It's not -- you
19 know, it's up front. It needs to be somehow
20 incorporated in here. What I'm trying to do is get
21 in the studies versus engineering.

22 MR. MILLER: Monte Miller, Fish and Game again.
23 You indicate this will be a lake tap, with the
24 primary water, then, coming from lower in the lake,
25 what depth do you expect to tap the lake?

26 MR. MITCHELL: That's going to be
27 predicated.....

1 MR. MILLER: Because it affects temperature in
2 the stream.

3 MR. MITCHELL: It -- oh, it does. And Shawn and
4 I -- that's one reason why I got all those
5 temperature gauges going up there. In fact, we're
6 not going to have one array, we're going to have two
7 arrays of different levels so we can scientifically
8 figure out what the different temperatures are versus
9 the temperatures in the creek so that it doesn't have
10 -- I mean, it may look like nine months of the year
11 they're equal, and then three months of the year it's
12 substantially different. We need to know those
13 diff.....

14 MR. MILLER: It would be great to identify if
15 there's a thermocline that forms in this lake after
16 breakup and whether those temperatures on the surface
17 are warmer. Where you draw the water off the lake
18 will have a huge impact on fish in the stream down
19 below.

20 MR. MITCHELL: I agree. We're not trying to go
21 down to -- I mean, engineering wise, you could drill
22 this at a very nice slope and tap into the very
23 bottom like a bathtub. That isn't what we're going
24 to do. It's probably going to be about -- I'm
25 estimating about 60 feet down from where the current
26 lake level is. So, that would be 100 -- if you add
27 60 feet on top of that, could be 120 to 60 feet below

1 the surface of the lake. The reason I take that
2 elevation -- or that depth is because I'm trying to
3 also, with that, eliminate fish attraction of smolts
4 that tend to be on the surface as they run to the
5 outlet. So that they're not thinking, oh, this is a
6 -- I'm trying to think like a sockeye, I guess.
7 But.....

8 MR. MILLER: Well, it's not just sockeye, it's
9 resident fish, which may occupy deeper parts of that
10 lake, as well. Which brings us to the issue I asked
11 during the break about screening.

12 MR. MITCHELL: Uh-huh (affirmative).

13 MR. MILLER: Which will be addressed. Yeah, the
14 concern I would have is a temperature regime and I
15 would definitely love to see some depth breakouts of
16 temperature, at least at a couple places in this
17 lake, to provide some idea of whether or not there is
18 a temperature variance at the depth that you're
19 looking at.

20 MR. MITCHELL: We're on it. I've got anchors
21 and ropes and temperature gauges that are going to be
22 set at different depths to do exactly that. And then
23 those will be read over for a year. You know, we'll
24 -- actually, the batteries.....

25 MR. MILLER: Yeah, typically, on such.....

26 MR. MITCHELL:last six years. So.....

27 MR. MILLER:you can record every 15

1 minutes for about 15 months, so -- easily. Even
2 longer than that, actually.

3 MR. VIGIL: Randy Vigil, Corps of Engineers.
4 I've got to leave and make a -- my 1:00 o'clock
5 meeting. But before I go, I'd like to make one
6 comment with regard to submitting -- submittal of the
7 Corps permit application. Depending upon where this
8 goes; whether it remains in EA or whether it goes to
9 the EIS, I'm not sure which. We recommend in -- to
10 maintain streamline process, that you submit your
11 application at a draft NEPA document stage, as
12 opposed to a final NEPA document stage.

13 MS. RODMAN: Excuse me. Dianne Rodman. Section
14 404 or Section 10, both?

15 MR. VIGIL: Both. I would re -- I'm expecting
16 that you're going to submit one application, which we
17 will look at permitting under both authorities. So
18 with that, I'm going to have to excuse myself because
19 I'm going to have to go downtown now.

20 MS. HARPER: Thank you.

21 MR. MILLER: This is Monte Miller. Before you
22 leave, I'd just -- I want to make sure that you're
23 aware, in 1999, a state DEC issued a blanket waiver
24 of 401 certification for hydropower projects. So, at
25 this point, it is anticipated that unless they change
26 their mind, the Water Qualities Act will fault to 404
27 -- default to 404 under your agency. So, just so

1 that you're aware.

2 MR. VIGIL: 401, you mean? The 401?

3 UNIDENTIFIED VOICE: Yeah.

4 MR. MILLER: The state has wai -- has a waiver
5 -- blanket waiver that has not been rescinded for
6 hydropower projects.

7 MR. VIGIL: Okay. I -- we may expect a
8 statement from DEC that waived the water quality
9 standard.

10 MR. MILLER: The applicant -- yeah, the
11 applicant typically applies to DEC. They say, we
12 issued a waiver, please refer to, you know, the other
13 charges, which would be you. Just so you're aware
14 that you probably won't see too much of a statement
15 on 401 from the State Department of Environmental
16 Conservation.

17 MR. VIGIL: Okay. Thanks. Wouldn't be unusual,
18 though, obviously.

19 MR. MILLER: No.

20 MR. MITCHELL: Thank you very much, Randy.

21 MR. VIGIL: You're welcome. Thank you.

22 MR. MILLER: Thanks.

23 MS. HARPER: Let's see. And I'll take just a
24 second. Jen Harper, FERC. And you know, as you're
25 thinking about these things and you leave, you go to
26 lunch, something occurs to you, I wish I'd said that
27 at the meeting. I wish I'd brought that up. Again,

1 keep in mind the 30 day filing for comments on
2 scoping document. And again, we look at those, as
3 well. So, just don't forget about that. Again, the
4 -- where to file all that is in the scoping document.
5 And not that you're confined to 30 days to file your
6 comments. Obviously, we -- you -- something occurs
7 to you, we want to hear about it.

8 MR. BROOKS: We want your comments no matter
9 when you decide you want to file them.

10 MS. HARPER: Right.

11 MR. BROOKS: So, please file them.

12 MS. HARPER: Yes.

13 UNIDENTIFIED VOICE: Okay.

14 MR. MITCHELL: And I would just say that I --
15 we've issued our draft Cultural Studies Plan, we've
16 issued our draft Terrestrial and Wetlands Study Plan,
17 and I have received comments back from Fish and Game
18 on the -- from Shawn. And the Fish and Game is -- I
19 just want to state a public record, has been very
20 helpful in sending me to this biologist and this one
21 to get things, as well as the Forest Service when I
22 did the invasive species and the botany aspects.
23 With that being said, the sooner you get comments in,
24 I have people going to the field. And so, I always
25 liked, as the person writing the check, measure twice
26 and cut once. So, once I fly somebody out there and
27 they're looking at certain things, they can cover all

1 issues rather than go back out and cover, oh, yeah,
2 forgot to add that.

3 So, that being said, I would just appreciate,
4 you know, whatever you can do as far as timeliness,
5 because I'm under a deadline to try to get the
6 preliminary draft Environmental Assessment in timely,
7 as well as the license application. We'll see how it
8 goes. I mean, the studies are the studies and we'll
9 work with you. So, I just wanted to add that on to
10 the comments. I'll take the comments forever, but I
11 just -- the sooner I get them in on certain aspects,
12 the sooner I can start executing on them.

13 MS. MARSHALL: I have a question. So,
14 what's.....

15 MS. HARPER: Name.

16 MS. MARSHALL: Oh, Marti Marshall. What's going
17 to be your trigger to the side of EA versus EIS? I'm
18 kind of surprised you're talking EA at this point?

19 MS. HARPER: In -- actually, I just looked this
20 up the other day. In our regulations, I believe it's
21 a -- you may want to correct me on this, 385, 18 CFR
22 385. We actually do have some guidelines as to when
23 you go EA, when you go EIS. We're at such a
24 preliminary stage with this, we don't have a
25 finalized design concept in front of us. And so, you
26 know, we're using EA. If it fin -- if we find that
27 when the final license application comes in, if it's

1 of significant construction, and we have some sort of
2 internal guidelines.....

3 MS. MARSHALL: Yeah.

4 MS. HARPER:we use for what's significant
5 and what's not, then we would issue an EIS.

6 MS. MARSHALL: Yeah.

7 MS. HARPER: But with the Commission, our EAs
8 are pretty extensive. Yes, pretty meaty. So, in
9 terms of the rigor of the analysis, there really
10 isn't a difference with the information you would see
11 in an EA versus an EIS. The way some of it's
12 presented is a little different; there are a couple
13 of extra things that we add that are more
14 administrative in nature.

15 MS. MARSHALL: Yeah, we found sometimes it's
16 just easier to go straight to a EIS, because it
17 doesn't add that much.

18 MS. HARPER: Uh-huh (affirmative).

19 MS. MARSHALL: But it gives you a little more
20 prep of decision making a little easier.

21 MS. HARPER: Did you have anything?

22 MR. BROOKS: Just to follow up on what you said.
23 This is Keith Brooks at FERC. That our EAs are
24 extensive enough that we'll get all the information
25 we need to make that informed decision. So, again,
26 whether it's EA or an EIS, we should have the same
27 information. So, it's really how it's going to be

1 packaged. You know.....

2 MS. MARSHALL: Well, it's the decision, though,
3 too.

4 MR. BROOKS: Right.

5 MS. MARSHALL: It's the finding of no
6 significant impact.

7 MR. BROOKS: Right. Right.

8 MS. MARSHALL: Versus if you have some
9 significant impacts, you can do an EIS and disclose
10 those.

11 MR. MILLER: This is Monte Miller with Fish and
12 Game.

13 MS. STANLEY: This is Barbara Stanley on the
14 phone.

15 MS. HARPER: Hi, Barbara.

16 MS. STANLEY: Hi. I just wanted to point out
17 that because the project is in an (indiscernible)
18 wetlands area, that could trigger an EIS from the
19 Forest Service, and we might recommend it.

20 MR. BROOKS: And if you make the recommendation,
21 we would certainly take that into account in our
22 decision.

23 MS. STANLEY: And then, I just wanted to mention
24 that we will be submitting written comments by the
25 October deadline.

26 MS. HARPER: Thank you, Barbara.

27 MS. STANLEY: Uh-huh (affirmative).

1 MR. MILLER: This is Monte Miller, Fish and
2 Game. Duff, you said you had people going to the
3 field. I trust that you have researched out the
4 appropriate permitting necessary for the field work
5 to be done, such as a fish resource permit, if you're
6 collecting fish or doing things like that. And
7 please be very specific when -- on that if -- you
8 know, activities such as tagging and things are a
9 special line item within those permits. If they're
10 not included and they're done, you can be found in
11 violation of that permit. So, be very specific with
12 what your request areas, time lines, all of that
13 within that permitting.

14 Also, the habitat permits for activities within
15 the stream, including stream gauging and things like
16 that, I trust that you're well aware of those. I'm
17 sure Shawn has made you aware of all of that. But
18 just for the record.

19 MR. MITCHELL: Well, we do.....

20 MR. CASE: I just thought -- this is Jim -- oh,
21 I'm sorry. You're going to answer that?

22 MR. MITCHELL: I was just going to -- we do have
23 an FRP in hand. As far as the habitat permit, I will
24 double check and research that before our stream guy
25 -- gauging guy gets out. He assures me that he's not
26 going to be damaging the habitat by putting a pipe
27 in. But I'm going to double make sure that there's

1 no loose ends on that.

2 MR. MILLER: Not necessarily a damage, it's a
3 knowledge of what's going on out there. And you
4 know, within habitat, any work within a stream or
5 things like that are covered under his habitat
6 permits. So, it is a statutory requirement of the
7 State of Alaska.

8 MR. MITCHELL: Will do. I'm sorry, go ahead.

9 MR. CASE: We've been adding things and you've
10 been adding bullets to the preliminary Scoping
11 Document 1, is that going to produce a secondary
12 Scoping Document 2?

13 MS. HARPER: Yes.

14 MR. CASE: And when will we have access to that?
15 Because I think that would be a good way for us
16 locally here to share and kind of network the --
17 where we're at exactly right now in terms of what
18 your plans are.

19 MS. HARPER: You know, under the ALP, I don't
20 think we have a specific time line by which Scoping
21 Document 2 has to be issued. Obviously, there's a 30
22 day comment period, so it -- you certainly wouldn't
23 see SD2 next week. It's applicant prepared, so some
24 of it will depend on Mr. Mitchell's schedule and then
25 whatever coordination we can help provide to that.
26 But.....

27 MR. MITCHELL: I still have an evening meeting

1 tonight with the public, so we're going to get
2 additional comments therein. Based on what I've
3 heard today and -- I think -- and I'd have to go back
4 to my potential studies, which we haven't done, to
5 make sure I'm not missing anything new that I'm
6 planning on doing. But in the scoping document, I
7 plan on being timely. So, you won't -- you know,
8 October 7th is the deadline, I'm going to try to get
9 something within 30 days. I'm not going to be held
10 to it, but I'm just going to be trying to get that
11 out very quickly.

12 MR. MILLER: After October 7th, 30 days?

13 MR. MITCHELL: I have to wait until everyone's
14 comments are in before I issue another document.

15 MR. MILLER: Right. Yeah.

16 MR. MITCHELL: You know, I have to give everyone
17 reasonable time to get their thought processes and
18 put them through. But yes, I'm going to be
19 expeditious on this. I'm -- like I said, I'm going
20 to try to file this next year. So, that's aggressive
21 and I'm going to deal with it appropriately. Does
22 that answer?

23 MR. CASE: Yeah.

24 MR. MITCHELL: Going to be as quick as I can do.

25 MR. CASE: We -- all the bullets that we have
26 before the meeting today are in the document, it's --
27 the new ones, I thought it would be great to add into

1 that to give a quick update to people in our shop
2 that want to have a look at this. You know.....

3 MR. MITCHELL: All right.

4 MS. HARPER: I will tell you this, the -- of
5 course, we have a court reporter, and you can
6 purchase the transcripts over the next 10 days, after
7 10 days, those transcripts will be available in e-
8 library. So, even before the comment deadline and
9 all that, you will at least be able to go back and
10 reference that document and to -- as a resource
11 before SD2 comes. Well, I wanted to give you your
12 options.

13 MR. BROOKS: But then an SD2 will be available
14 at some point assuming.....

15 MS. HARPER: Yes. Yes. But in between, you can
16 access the transcripts.

17 MR. MILLER: Monte Miller, Fish and Game. Duff,
18 you earlier -- did you tell -- did you state that
19 you're looking to submit a license application in
20 2012?

21 MR. MITCHELL: Yes.

22 MR. MILLER: Do you feel that one field season
23 or one summer season is adequate for all the studies
24 necessary for this project?

25 MR. MITCHELL: We're going to do the best we can
26 do. The Federal Power Act was written back before
27 many of these studies were required. And

1 unfortunately, I'm dealing with the constraints that
2 we live in with.....

3 MR. MILLER: So, you don't anticipate that
4 you'll be applying for a second permit?

5 MR. MITCHELL: That is not our strategy. It's
6 always an option. But my goal is to work
7 expeditiously, get the studies done, and that is what
8 we're planning for. There may be conditioning that
9 requires continued studies.

10 MR. MILLER: When does your preliminary permit
11 expire?

12 MR. MITCHELL: Nov -- I think it's December of
13 2012, I have to apply November 30th, 2012.

14 MR. MILLER: Doesn't leave a lot of time for
15 resource agencies to evaluate the results of studies,
16 or even see the results of studies prior to
17 submission of the license. So, just to give you a
18 heads up, that is a concern to resource agencies.

19 MR. MITCHELL: I acknowledge that. I'm not
20 going to blame anything on anything, why we're here,
21 whatever. But we've had roadless and we've had a lot
22 of other issues that, you know, encounter every
23 hydropower development. So, we're not unique. I can
24 just tell you is that we're going to expeditiously
25 conduct the studies and do the best job we can do
26 with the constraints that we have. I have my
27 proposed studies. It is lunchtime. It's actually

1 past lunchtime. These are listed -- these potential
2 studies are listed in each of the comments in the
3 scoping document. They're actually verbatim out of
4 thing.

5 But I have listed where our potential studies of
6 the geotechnical. I've talked about water quantity,
7 water quality, the aquatic resources for -- and I
8 broke them down by areas. The wildlife study and
9 surveys, the botanical study and surveys, that we're
10 not doing any threatened and endangered species
11 surveys or studies at this point. We're doing
12 recreational studies. Aesthetic studies with the
13 aesthetic resources. Cultural resources. The
14 socioeconomics.

15 And what I'm going to do is, if anyone has any
16 particular issue on here, I'm more than willing to
17 stay and to address that area of concern. Like I
18 said, I have botany and terrestrial folks out in the
19 field now. We're going to start doing baseline
20 fisheries in September. We'll have a cultural person
21 out there early next year, and we're going to be
22 putting the stream gauges in. And I will -- and
23 Cathy's going to be out there when she can, too,
24 early next year sometime.

25 MS. HARPER: In spring.

26 MR. MITCHELL: Spring. So, that'll be the
27 goshawks and the raptors and the wildlife and doing

1 what I can do. But the studies -- in addition to the
2 proposed studies, I have issued, and they're on the
3 website, they're all on FERC e-library and also on
4 our website. The cultural studies and the wildlife
5 and the terrestrial studies documents are already out
6 there. I've worked with Fish and Game personnel on
7 drafting out, and with some fishery biologist
8 consultants on our aquatics.

9 And what I've done in the aquatics, just so you
10 understand, is I've taken other Southeast projects
11 that have salmon and fisheries related issues with
12 the similar lake aspect and tried to take that
13 template and move it over to Sweetheart with the --
14 so, we've tried to do this wise, I guess, is what I'm
15 saying, rather than starting from scratch. And I
16 will be issuing the -- after I get all these comments
17 in here, I may be issuing the Aquatics Study Plan
18 prior to the 30 days just to get that out on the
19 street for additional comments. So, I'm trying to
20 cover the potential studies.....

21 MS. HARPER: Yeah. I mean.....

22 MR. MITCHELL:in just couple minutes.

23 MR. MILLER: Monte Miller, Fish and Game. In
24 our comments, we will provide additional information,
25 requests, as we see. So, I think that we're
26 comfortable going through what you put in the scoping
27 document and holding those discussions or providing

1 comments to be included in Scoping Document 2 and
2 further studies. So, yeah, I think you've done a
3 pretty good job of trying to coordinate with the
4 resources available. One thing about studies in
5 Alaska that I would like to point out is that in the
6 lower 48, a three year permit means 36 months to do
7 things. In Alaska, a three year permit means 15 to
8 18 months to do things, because of seasonality
9 effects up here.

10 So, those constraints are very important when
11 you look at study considerations and study
12 operations. For many times, it's a matter of safety.
13 Nobody wants to see something rush forward to the
14 detriment of, you know, people and loss. So, I
15 recommend that, you know, Duff really look at this
16 and make those determinations in the future as need
17 be. And you are open to continuation or additional
18 permits to do it in a timely and safe manner. So,
19 we'll deal with questions and seasonality and things
20 like that in specific requests.

21 MR. MITCHELL: Okay.

22 MS. MARSHALL: I just wonder if you could talk a
23 little bit about tomorrow. How many people do you
24 have going on the field trip and what's your
25 expectations?

26 MR. MITCHELL: I have 10 folks on there. If we
27 have additional requirements, I can throw on a second

1 plane. What I planned on doing was to going out,
2 flying over the Port Snettisham transmission line,
3 working up to Gilbert Bay, flying up the creek,
4 flying over the project boundary area so you can kind
5 of get a bird's eye view of the lake and then if
6 anybody requests, and that means everyone else is
7 going to wait or go hike. We're going to go stop at
8 Gilbert -- come back down, stop at Gilbert Bay and
9 walk up to the barrier falls area. If folks would
10 like to do that, I will pack a rifle, because there's
11 bears out there. There's sockeye still. So, that's
12 going to be at 9:30 tomorrow at Ward Air for those
13 that have reserved. If you're not on that
14 reservation, get with me after this meeting and we'll
15 see if we can work out some arrangements.

16 MR. MILLER: Is Ward Air located in the main
17 terminal or in the hangar?

18 MR. MITCHELL: No, I deliberately got Ward Air
19 because the parking is real easy and convenient. As
20 you're going from the fire department, as you go on
21 Yandukin, which is like, if you cut off at Fred
22 Meyer's instead of going around the airport the other
23 way, if you cut across and go out there prior to.....

24 MR. MILLER: On the same side?

25 MR. MITCHELL: They're on the airport side
26 toward the.....

27 UNIDENTIFIED VOICE: Yeah, the south end.

1 MR. MITCHELL: south end. They're on the
2 south end.

3 MR. MILLER: So, if you came out of the airport
4 heading toward town, they'd be on that frontage road?

5 MR. MITCHELL: They'd be on your right.

6 MS. MARSHALL: Right past Coastal, and then it's
7 the next.....

8 MR. MILLER: Okay.

9 MR. MITCHELL: They're a small airline. They
10 have a red -- I think it's red or blue. Yeah.

11 MS. MARSHALL: It's red.

12 MR. MILLER: And What type of aircraft are you
13 looking at? I'm thinking of visibility.

14 UNIDENTIFIED VOICE: Otter.

15 MR. MITCHELL: It'll be an otter for 10 people.

16 MR. MILLER: One of the problems, I just was on
17 a site visit up on -- up north on Susitna, and it was
18 very nice for the people on one side of the aircraft,
19 because they flew alongside the river, and you could
20 see from that side. The side I happened to be on was
21 generally not the best view. So, I don't know how
22 you're going to accommodate that.

23 MR. MITCHELL: That's how I feel a pilot --
24 because I think.....

25 MR. MILLER: Yeah.

26 UNIDENTIFIED VOICE: Oh, let's don't.

27 MR. MILLER: Although with the winds we've been

1 having, that's entirely possible.

2 MR. MITCHELL: Well, we could always circle the
3 lake one direction, circle the lake back for.....

4 UNIDENTIFIED VOICE: Yeah.

5 MR. MILLER: I'm just thinking of, you know,
6 view opportunity. Doesn't do any good to the pilot
7 to have everybody crowd on one side of the plane.

8 MR. MITCHELL: No.

9 MR. MILLER: They don't like that.

10 MR. MITCHELL: They don't like anyone getting
11 out, either, and standing on the floats while it's
12 going.

13 MR. MILLER: Now, so this is on floats then?

14 MR. MITCHELL: Yeah, we'll be on a float plane.
15 And it's about 36 minutes out and 36 minutes back,
16 and then it'll be time dependent of what folks would
17 like to do at the site. And if the weather's like
18 this tomorrow, 9:30 should be no problem. Otherwise,
19 we'll be on just a weather hold delay until which
20 time the pilot says it's safe.

21 MR. DEATS: Are you going to provide a narrative
22 while we're flying? Will we be able to hear you
23 explaining what we're seeing?

24 MR. MITCHELL: I'll do what I can do on the
25 plane, but it's pretty difficult with the noise on
26 the plane. I'll try to -- at the hangar, I'll try to
27 give a briefing and have -- I'll try to print up some

1 topo maps so that you can kind of see, so you can
2 monitor yourself where we're at what -- as we're
3 flying over.

4 MS. MARSHALL: I thought you could ask for
5 headsets.

6 MR. MITCHELL: I'll ask them.

7 MS. MARSHALL: Call them today, because I
8 thought they had headsets for the otter. We do a lot
9 of showing trips with them.

10 MR. MILLER: They do a lot of tourist flights,
11 and they may very well have that.

12 MR. MITCHELL: I'll ask. That's a good idea. I
13 know helicopters, they do them.

14 MS. MARSHALL: Yeah.

15 MR. MITCHELL: I've just never seen them in the
16 otter.

17 MS. MARSHALL: Yeah, I'll do that before.....

18 MR. MITCHELL: Yeah, I think we're ready to
19 adjourn, unless anyone has any additional comments.

20 MS. HARPER: Oh, another comment.

21 MR. CHESTER: Yeah, one more quick question for
22 Duff. Dennis Chester, Forest Service.

23 MR. MITCHELL: Yes, Dennis?

24 MR. CHESTER: On your study plans, you sent out
25 the terrestrial ones and we made some comments, I
26 believe we've gotten back to you. What's your
27 process from there? There were, you know, a couple

1 of concerns about what was proposed. Do you plan on
2 putting out a final or is it going to be a different
3 process? Do we need to, you know, have some of
4 interested agencies get together and work it out?
5 Or.....

6 MR. MITCHELL: I haven't -- I think you're
7 referring to the comments that Jim just -- that Jim
8 mentioned to me this morning? Is that one
9 terrestrial, Jim, that you're -- I haven't read them
10 yet.

11 MR. CASE: I don't know.

12 MR. MITCHELL: What -- assuming that they're on
13 the -- are they -- you're saying they're on the
14 terrestrial and the wetlands component, not the
15 scoping document, Dennis?

16 MR. CHESTER: Right.

17 MR. MITCHELL: What I will do is I will look
18 those over, I will either incorporate them into a
19 final and publish a final. But I also have contracts
20 out for people, and I will initially get them going
21 on those, even before the final. In other words, if
22 I can incorporate them into what they're doing in the
23 field, we'll get those incorporated. I have the
24 botany and the wetlands person, they're coming back
25 from the field right now for the lower end of Gilbert
26 Bay. So, hopefully I won't have to redo anything.
27 But we'll definitely take a look and get those

1 incorporated as they head to the lake, as well as
2 into anything that needs to be done henceforward.
3 For contractual amount -- I mean, for the actual
4 study component. For the final, I'll take a look a
5 those and I'll get back with you or Jim and maybe I
6 have to put a changed final document on e-library on
7 our website and incorporate those.

8 MR. CHESTER: Okay. Yeah, I was mainly worried
9 about -- wondering about the process. You know, I
10 talked to Fish and Game a little bit, too. I think
11 there was some things that we were going to suggest
12 or -- you know, might be a little more appropriate.
13 So.....

14 MR. MITCHELL: Okay. No, I'm good with that.

15 MS. HARPER: Okay? Well.....

16 MR. SCHWARZ: One more.

17 MR. MITCHELL: Terry?

18 MR. SCHWARZ: On the hydrology, have you guys
19 done a -- have you finished the Hydrology Study Plan?
20 I haven't seen anything.

21 MR. MITCHELL: No, I have a contractor working
22 on that. You know, and basically, right now it's to
23 put those two gauges in and get those in ASAP.....

24 MR. SCHWARZ: Yeah.

25 MR. MITCHELL:and then I've been working
26 on the weather station.....

27 MR. SCHWARZ: Okay.

1 MR. MITCHELL:and the Hydrology Plan is
2 following. You know, we know where we got to put
3 them, but then the Hydrology Plan's following. So, I
4 haven't issued that yet.

5 MR. SCHWARZ: Okay. Well, when you do, I guess
6 I'd like to see it.

7 MR. MITCHELL: Absolutely.

8 MR. SCHWARZ: And I'd be able to help you
9 with. . . .

10 MR. MITCHELL: And I'd also like to get your
11 information on that weather station that might work
12 in remote locations where it doesn't freeze up.

13 MR. SCHWARZ: Yeah. That's a tough one.

14 MR. MITCHELL: It is. Thank you.

15 MR. SCHWARZ: Sure. Thanks for answering.

16 MS. HARPER: Well, on behalf of my colleagues
17 from FERC, thank you all so much for coming out today
18 and helping with our scoping process. It's great to
19 finally get some faces with names and get to meet all
20 of you. And I look forward to working with you all
21 on this, and the many other projects we have going on
22 in Southeast right now. So, thank you.

23 UNIDENTIFIED VOICE: Great. Thanks.

24 MR. MITCHELL: I thank you, too.

25 UNIDENTIFIED VOICE: Thanks, Barb and whoever
26 else is on the phone.

27 (Off record)

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TRANSCRIBER'S CERTIFICATE

I, Clyde E. Pasterski, hereby certify that the foregoing pages numbered 3 through 173 is a verbatim transcript of the Agency Scoping Meeting (Daytime Scoping Meeting) held at the Juneau Ranger District conference room, Juneau, Alaska, transcribed by me from a copy of the electronic sound recording to the best of my knowledge and ability.

Date Clyde Pasterski
Transcriber