



1 APPEARANCES

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- Blane Bellerud - NOAA Fisheries
- John Blum - EES Consulting
- Clifford Casseska - Yakama Nation
- Kent Doughty - EES Consulting
- Bernice Kasko - Energy Northwest
- George Lee - Yakama Nation
- Marcelle Lynde - Louis Berger Group
- John Roland - Gifford Pinchot National Forest
- Laura Schinnell - Energy Northwest
- Rebecca Sherman - Hydropower Reform Coalition

BE IT REMEMBERED THAT, pursuant to the Washington Rules of Civil Procedure, the Packwood Lake Hydroelectric Project public scoping meeting was taken before Jea H. Oh, a Certified Shorthand Reporter for the State of Washington.

1       PACKWOOD, WASHINGTON;  
2       THURSDAY, FEBRUARY 03, 2005  
3       1:25 P.M.  
4       PROCEEDINGS

5                   MR. HOGAN:  I'm Ken Hogan with the Federal Energy  
6       Regulatory Commission.  I want to thank all of you for coming  
7       today.  We're here for the scoping of the Packwood Lake  
8       Hydroelectric Project.  I'm the project coordinator.  This is  
9       the team that'll be working on relicensing for the Packwood  
10      Hydroelectric Project, and if we can start by going around  
11      the table.

12                   MR. WINCHELL:  I'm Frank Winchell.  I'm an  
13      archeologist, and I've been assigned the cultural resource  
14      work for this particular project.  I also work with FERC.

15                   MS. VECCHIO:  I'm Ann-Ariel Vecchio, and I'll be  
16      doing the terrestrial resources.

17                   MR. COFRANCESCO:  I'm Jon Cofrancesco, and I'll  
18      be doing recreation, land use, and aesthetic resources.

19                   MR. KIEL:  I'm Bill Kiel, Energy Northwest.

20                   MS. LYNDE:  Marcelle Lynde, Berger Group.

21                   MR. LEE:  George Lee, Yakama Nation.

22                   MR. CASSESKA:  Cliff Casseska, Yakama Nation.  
23      I've been involved in the relicensing, as some of you know,  
24      and I've pretty much been involved in pretty much all of the  
25      resources of the Yakama Nation's involvement, not only just

1 the cultural resources, but I stress on the local  
2 administration, kind of the whole circumference of what we  
3 deal with.

4 MS. KASKO: Bernice Kasko, Energy Northwest.

5 MR. BLUM: John Blum, EES Consulting. I'm doing  
6 the fishery work for the project.

7 MS. SCHINNELL: Laura Schinnell, Energy  
8 Northwest's federal licensing project manager for Packwood.

9 MR. DOUGHTY: Kent Doughty, EES Consulting. And  
10 I'm doing the water quality work on the project.

11 MS. SHERMAN: I'm Rebecca Sherman, and I work for  
12 Hydropower Reform Coalition.

13 MR. ROLAND: I'm John Roland, Gifford Pinchot  
14 National Forest.

15 MR. HOGAN: Now, I'd like to start this  
16 morning -- or this afternoon by letting you all know that  
17 FERC staff went up to the project today with the applicant to  
18 look at some of the project facilities. And I say this  
19 because as part of the ILP process, we're required to put a  
20 summary of any nonpublic or non -- or non-noticed visits with  
21 the applicant or agencies into the record, so I thought I'd  
22 take advantage of having a court reporter here to take that  
23 summary for me.

24 So today we went up to the project, we hiked up  
25 to the lake and looked at the powerhouse. We really didn't

1 discuss any issues that were pertaining to the project. We  
2 did look at where some of the transects of the ongoing  
3 studies in the stream were, discussed project features and  
4 facility locations and things of that nature. And most of  
5 the benefit was for Ann-Ariel Vecchio and John Cofrancesco  
6 who have not seen the project before, so I provided them an  
7 opportunity to go up and take a look at it. And that's about  
8 it. Would you guys like to add anything? (No response.)

9 We did go up and see the trailhead site, which we  
10 hadn't seen before, at the end of the powerhouse road.

11 MR. WINCHELL: And the surge tank.

12 MR. HOGAN: Oh, yeah, we went up to the surge  
13 tank up at the end of the road there. I don't know what the  
14 name of the trailhead is.

15 MR. WINCHELL: It was 78.

16 MR. HOGAN: Trailhead 78. Any questions about  
17 this morning's trip? (No response.) Okay.

18 Well, if we could, we'd like to kind of have an  
19 informal formal discussion of potential issues and concerns  
20 that you may have regarding the relicensing of the Packwood  
21 Hydroelectric Project. We thought we'd start off by having  
22 Energy Northwest give a brief overview of where they are at  
23 now in some of the studies they're performing and an overview  
24 of the project itself. If you'd go -- I'll turn it over to  
25 Laura for that.

1 MS. SCHINNELL: Okay. I'll just run through some  
2 of our key project dates. Our 50-year license was issued on  
3 March 1st, 1960. The current license expires on February  
4 28th, 2010. The construction of the project began on March  
5 29th of 1962, and commercial operations started in June of  
6 1964. We did start some studies last year in April of 2004,  
7 primarily to support water quality certification by the State  
8 of Washington. The Notice of Intent Pre-Application document  
9 under the Integrated Licensing Process was submitted -- or it  
10 was filed on November 12th, 2004, which is the key date for  
11 starting the ILP process.

12 So many of you have participated with us right  
13 from the get-go, and so I was going to skip some of the  
14 public presentation. In the Integrated Licensing process, as  
15 Ken indicated -- Actually, last August 27th was the site  
16 visit that FERC was present at. We felt that we were taking  
17 a risk to have a site visit in the middle of winter. It just  
18 turns out this winter it probably would have been okay, but  
19 we didn't know that until the -- The primary site visit was  
20 last August.

21 FERC issued their Scoping Document 1 on January  
22 11th of 2005. Today is the scoping meeting. Study requests  
23 and comments on the Notice of Intent Pre-Application document  
24 and scoping document are due on March 12th, which is a key  
25 date for many of you folks. And then Energy Northwest will

1 be submitting their proposed study plans on April 26th, and  
2 we have set the date for the first study plan meeting for May  
3 26th. So those are some of our dates.

4 We do have a relicensing web site up and running.  
5 I think everybody here has probably received a copy of that  
6 web link, so I won't repeat that.

7 Some of the committees that we have already  
8 formed and are working on forming: We now have a Water  
9 Quality and Product Resource Committee that was formed last  
10 March that includes representatives from the Department of  
11 Ecology, Energy Northwest, U.S. Forest Service, Washington  
12 Department of Fish and Wildlife, NOAA Fisheries, U.S. Fish  
13 and Wildlife Service, the Cowlitz Tribe, the Yakama Nation,  
14 and EES Consulting as our consultants.

15 We have the Cultural Resources Committee that  
16 we're forming. That first meeting is set for February 11th,  
17 which is next Friday. Participating will be The Yakama  
18 Nation, The Cowlitz, Forest Service. Our consultant for that  
19 is Dr. Gale Thompson with HRA; they're doing that work for  
20 us.

21 We're going to put together a recreation,  
22 aesthetic, road use, or land use committee. Energy Northwest  
23 is working on hiring consultants to help us with that so we  
24 have a request for proposal. I believe it's out on the  
25 street now.

1                   And there probably will be something for  
2 terrestrial, but we don't know yet because we didn't get a  
3 very good definition yet of what really all those issues are.  
4 So we know there's something out there, but we wanted to get  
5 a better feel for what that encompassed before we put that  
6 committee together.

7                   Some of the potential issues, and this is just a  
8 brief listing of what those are: Soil stability; sufficient  
9 data to assess the water quality of Packwood Lake, Lake  
10 Creek, and the Cowlitz River; the lake elevation maintenance  
11 during the summer season; habitat availability in Lower Lake  
12 Creek; the need for fish screens on the tailrace; side  
13 channel and tailrace slough area for Cowlitz River; instream  
14 flow requirements for Lake Creek; entrainment at the project  
15 intake; sediment transport on Lake Creek; connectively of  
16 aquatic ecosystems, noting that Lake Creek is a one-way  
17 downstream because of all the numerous waterfalls and the  
18 connectively from the Packwood Lake itself with the  
19 tributaries feeding into the lake; we heard about the  
20 potential to stock the lake with sockeye; potential fish  
21 barriers on Hall Creek and Snyder Creek; large wood transport  
22 on Lake Creek; fish dependent species; vegetation and  
23 wildlife resources; the potential to do a loon nesting  
24 survey; salamander species; wildlife use inventory; wetland  
25 mapping; noxious weed control; recreation; recreational

1 fishing; road and trail use, including maintenance and a  
2 potential traffic study; aesthetic resources; and cultural  
3 resources, including inventory, site protection, and a  
4 management plan.

5           The studies that we have in progress right now:  
6 Water quality. We're documenting the existing water quality  
7 conditions, meaning physical, chemical, and biological  
8 conditions of water that's affected by the project. One of  
9 the key results to date, we believe, has been the temperature  
10 results. The Cowlitz River is a cold-water glacial system.  
11 Lake Creek has cold summer temperatures, perhaps lower than  
12 what it would be without the project. But the tailrace  
13 summer temperatures are occasionally above water quality  
14 criteria for the State of Washington, but they are similar to  
15 the lake environment because that's the water that's coming  
16 through. Other results to date, preliminarily, for the other  
17 temperature parameters, they seem to meet the criteria. And  
18 we'll be in the process with that water quality committee  
19 group determining what second season studies should be, so we  
20 don't have that yet.

21           MS. SHERMAN: Sorry . There's a committee --  
22 there's a water quality committee that helps you design these  
23 studies and --

24           MS. SCHINNELL: That's correct.

25           MS. SHERMAN: Okay. Can you just tell me who's

1 on the committee really quick?

2 MS. SCHINNELL: Yeah. It's the Department of  
3 Ecology, Department of Fish and Wildlife, U.S. Fish and  
4 Wildlife Service, NOAA Fisheries, The Yakama Nation, The  
5 Cowlitz Tribe, Energy Northwest, EES Consulting.

6 MR. ROLAND: And the Forest Service.

7 MS. SHERMAN: And you guys have been working for  
8 a while?

9 MS. SCHINNELL: Oh, the Forest Service. Pardon?

10 MS. SHERMAN: And you guys have been working for  
11 a while together?

12 MS. SCHINNELL: Yes. Since last March.

13 MS. SHERMAN: Okay.

14 MS. SCHINNELL: And on our relicensing website,  
15 we do post the meeting minutes. We're now posted all the way  
16 up through our September meeting. We had a meeting on  
17 January 21st, and we're still working on those, drafting  
18 those. We do not post until there's a consensus of the  
19 committee that we have the minutes correct, so they won't  
20 post until, basically, after our next meeting. And all of  
21 the study plans and reports to date, even the draft study  
22 reports, are all posted to that website, so you can find  
23 everything on the website.

24 MS. SHERMAN: Okay.

25 MS. SCHINNELL: Other studies that we have been

1 working on: Hydrology. We did do a draft hydrologic  
2 analysis that we issued last June as a result of the comments  
3 from the agencies, EES Consulting, to the process of revising  
4 that hydrologic analysis to provide a little bit more detail.

5 Some of the results from that were known things.  
6 We divert up to 260 cfs from Lake Creek, that's our water  
7 right to do that, and an annual average flow is about 80 cfs.  
8 On the average, the project flow diverts to the tailrace  
9 about 6 percent of the flow that would have gone to the  
10 Cowlitz River through Lake Creek. And that would be within  
11 plus or minus 10 percent that the USCF gauge can measure, so  
12 basically you can't see that we're drawing more.

13 And overtopping of project's diversion dam has  
14 occurred 504 days with a maximum spill of 825 cfs. Our  
15 diversion -- drop structure and diversion dam is designed to  
16 have the water spill over during the main rainfall events or  
17 during the snow melts, so that did occur in the last four  
18 years, the 504 days.

19 We also completed the habitat assessment of Lake  
20 Creek to support the water quality and our instream flow  
21 study. For the instream flow study, we're using the  
22 incremental methodology to conduct that for Lake Creek. They  
23 have collected preference curve data from anadromous  
24 salmonids, resident rainbow, and cutthroat, and native  
25 species, and this have been done at three flows; low flow or

1 baseline -- 10 cfs?

2 MR. BLUM: 16.

3 MS. SCHINNELL: Sorry, 16 cfs. And then just  
4 about the maximum that we can deliver which is -- 33?

5 MR. BLUM: 33.

6 MS. SCHINNELL: 33 cfs. And then they've already  
7 selected the transects to do that on, and the next step of  
8 that is to determine preference curves that will actually be  
9 used in running the models. And then they have a meeting  
10 scheduled on -- February 12th?

11 MS. KASCO: 9th.

12 MS. SCHINNELL: February 9th to talk about the  
13 preference curves that will be selected, and some of those  
14 questions are if they are an appropriate model, say, for  
15 stock number, that type of thing. So they'll be working on  
16 that.

17 They also have been working on the study to  
18 survey the potential anadromous barrier on Lake Creek at  
19 River Mile 1.03. There's a known barrier at approximately  
20 Mile 2. We believe that there is a barrier at Mile 1.03, so  
21 we are reviewing that now. It's -- The study -- The draft  
22 study reports are actually out for peer review right at the  
23 moment, and once the peer review is completed, we'll issue  
24 that to the study group.

25 Other studies that we have been undertaking: We

1 have a spawning survey ongoing for the Chinook, coho, and  
2 steelhead spawning seasons, the study including some relative  
3 distribution and abundance of the Salmonids, rainbow trout,  
4 and the other species. Coho and Chinook spawners and redds  
5 were observed in Lake Creek, and then the tailrace slough.  
6 In the tailrace slough, the Cowlitz River changed channels,  
7 and our boats haven't been able to get back in yet to see  
8 what the affects of the flood were in terms of the redds that  
9 were observed earlier.

10 We've also done a little bit of an entrainment  
11 study. Unfortunately, we didn't get our permits early, so we  
12 only did that through the month -- or the end of the month of  
13 October. We plan to, at a minimum, deploy a net in March  
14 through September of 2005. We'll either use a diver camera  
15 to look for fry, and we'll be measuring velocities. So we'll  
16 be greatly upgrading that study for a second season, and  
17 hopefully we'll have our permits much earlier this year than  
18 we did last year.

19 Another study that we had performed was to look  
20 at the tributaries to Packwood Lake for potential barriers.  
21 This was something of a quick study just to collect some  
22 information. We determined that Osprey Creek was passable  
23 down to an elevation of 2,851.2 feet, Muller Creek was  
24 passable, Upper Lake Creek was passable. The tributary to  
25 Upper Lake Creek, which we also call Crawford Creek, was

1 passable down to an elevation of 2,856. We need to collect  
2 more data on that. And I note these elevations in that the  
3 license condition requires us to be at 2,857 feet plus or  
4 minus 6 inches during the upstream migration. So during  
5 upstream migration, streams are all passable, but we need to  
6 collect some additional information on that.

7 Another study is a standing/ramping rate study we  
8 were doing in the tailrace in the slough area. Basically, we  
9 can say because the river changed channel, that that's not  
10 going to mean much now, so we'll probably repeat and do  
11 something again next year. We just don't know yet what we're  
12 going to do.

13 We also did a quick study looking at Hall and  
14 Snyder Creek fish passage. Our slough for the tailrace that  
15 goes over Hall Creek does not present a barrier, but we'll do  
16 an additional study of Snyder Creek for the Snyder Creek  
17 culvert that goes under the tailrace.

18 Some additional future studies that we know we  
19 will be doing: In cultural resources we'll complete a field  
20 heritage resource inventory; complete a historical properties  
21 management plan; we believe we'll be doing a road-use or  
22 traffic study to determine how much Energy Northwest uses the  
23 road, and how much is used by maintenance, and probably for  
24 Forest Service; we'll do some type of a recreation study as  
25 yet not defined; and obviously we'll consider other studies

1       once we receive the study plan requests from the agencies and  
2       members of the public. So that's a brief summary.

3               MR. HOGAN: Great. Thank you. With that, I'd  
4       like to lead into hearing what everybody's concerns or  
5       complements for the project are. And that's why we're here  
6       today for the commission, is we want for hear your individual  
7       or your agency's comments on the project. I'd like to do  
8       that on a resource-by-resource format, so if anybody has a  
9       problem with that, let me know. But I'd like to start with  
10      aquatics, and fisheries, and water quality.

11             MS. SHERMAN: Ken, really quick, do you have sort  
12      of an agenda that you can lay out for, you know, what we're  
13      going to do today?

14             MR. HOGAN: Just go through each resource.

15             MS. SHERMAN: That's the plan?

16             MR. HOGAN: We'll hear from everybody what their  
17      concerns or comments are on that particular resource, why  
18      it's a concern, what they're expectations are regarding that  
19      resource, as far as if they're looking at additional study  
20      requests. It's just kind of a heads-up now and so forth.

21             MS. SHERMAN: And that's the only thing we have  
22      left to do at this meeting?

23             MR. HOGAN: Yeah. Okay. So does anybody have --  
24      would like to talk about aquatics, fisheries, or water  
25      quality? Cliff?

1                   MR. CASSESKA: It's a good list of studies to be  
2 done, it's a long list of studies, and one of the problems  
3 that we can run into is, you know, what kind of funding is  
4 available for what project studies that are going to be done.  
5 You know, we don't usually know that information, really  
6 what's available, how much funding we have for studies or if  
7 there is. Sometimes we get into studies, and you say, "Well,  
8 we don't have any funding left for this study to be  
9 completed," or -- you know.

10                  MR. HOGAN: Cliff, under the new ILP process,  
11 you'll write a study request if there's a study that you're  
12 interested in having completed. And as you meet the  
13 criteria, if that study is required by the director of the  
14 office of energy projects at the commission, then it will be  
15 in the order format that Energy Northwest complete that  
16 study. Funding is not an issue at that point; they have to  
17 do the study. Funding is a consideration in the study itself  
18 as far as you, you know, level of effort, and the cost, and  
19 the value of the data, but if the director makes a  
20 determination that that study is to be done, then it will be  
21 done. Okay? Does that get to your concern?

22                  MR. CASSESKA: Oh, yeah. Take aquatics, for  
23 instance. You know, aquatics, we have a long list of issues  
24 to do with aquatics, and fish passage is an issue, and that's  
25 one of the things that even though you've got the studies

1 done, you know, and it's required that the studies be done,  
2 and pretty soon, you know, yeah, the studies done, but then  
3 we can't do that because of feasibility. We've always run  
4 into these kind of problems. Well, why do a study that's  
5 required to do a study, and in the end, no, we can't do it  
6 because it costs too much?

7 MR. HOGAN: Because it costs too much?

8 MR. CASSESKA: Economics, yeah. Economics is  
9 always a problem that we're dealing with because, you know,  
10 even when it's a required study to be done, it's a required  
11 study, when it comes actually time to do it, it's not  
12 feasible.

13 MR. HOGAN: I guess we will have to cross that  
14 bridge when we come to it, because, as you know, in this new  
15 process, the Integrated Licensing Process, the ILP, we're not  
16 there yet on any of the projects that are going through  
17 there.

18 MR. CASSESKA: Well, eventually when it gets  
19 there, that always seems to be the problem.

20 MR. HOGAN: That's right. And we'll deal with it  
21 at that point in time. But right now that problem has not  
22 presented itself, and I don't know how we would deal with it,  
23 but I'm sure that we would. Because once the director's  
24 order goes out requiring that a study be completed, some type  
25 of action would have to be taken, so we couldn't just say,

1 oh, you can ignore our order.

2 MS. VECCHIO: Is your concern more about the  
3 money for the study itself or money for a measure to maybe  
4 address, you know, if there's a fish problem that the study  
5 showed? Is it more about the study itself, or the results --  
6 the action to be taken afterwards?

7 MR. CASSESKA: The outcome of the results. You  
8 know, cultural resources, we don't know the -- that'll  
9 probably be discussed next week, you know. What I need to  
10 know for cultural resources, are the boundaries, what are we  
11 looking at, you know, for the project's responsibilities --  
12 You know, the boundaries where even though it's on U.S.  
13 Forest land, you know, those kinds of things, where is the  
14 utility's boundaries? Is it just on the -- drawing the area,  
15 you know, like the landmarks, you know, those kind of things,  
16 that are affecting cultural resources.

17 MR. HOGAN: Today when we get to cultural  
18 resources is your opportunity to let us know what you think  
19 those boundaries should be. And I know that you'll be  
20 working on a resource group also, but this is a format for  
21 getting your concerns and thoughts to the commission if you  
22 have them.

23 So did you have specific information you were  
24 looking at for fisheries and aquatics feasibility? I heard  
25 you mention the fish passage. Is there a topic there you

1 want to discuss?

2 MR. LEE: Yeah.

3 MR. HOGAN: I see you nodding.

4 MR. LEE: Yeah. When The Yakama Nation became  
5 involved in the Cowlitz River relicensing, a lot of our  
6 attention was focused on the reintroduction -- or, you know,  
7 the salmonids and getting those back up into the upper basin.  
8 And with this one, our fishery, again, is going to be -- it's  
9 going to be an issue along with cultural resources. I guess  
10 my issue would be the three cfs that's in -- currently  
11 allowed down the Lake Creek. You know, the barriers that are  
12 mentioned, is that because of the cfs'es, or if there were  
13 more water allowed to go into the system, would those then be  
14 barriers?

15 Spring Chinook was one of the species that we  
16 pushed forth for reintroduction into the upper basin, and we  
17 certainly would like to see more studies done on spring  
18 Chinook in Lake Creek or the tailrace area. At the last  
19 meeting they mentioned that there were some redds in the  
20 tailrace area that was flooded out, right? So, certainly,  
21 we would like to see something done with that. You know, I  
22 don't know what kind of studies we can use or what can be  
23 done about that, but certainly would like to have that on  
24 the -- on the -- on the list of, you know, studies.

25 MR. HOGAN: On the flooding out, do you

1 understand what happened down there? Have you seen it?

2 MR. LEE: We took a drive down there, yeah.

3 MR. HOGAN: Did you see it at the site visit in  
4 August?

5 MR. LEE: Before the meeting, no, we didn't see a  
6 thing.

7 MR. HOGAN: It's pretty impressive, the change.  
8 The river completely just changed channels. Completely  
9 different from what we saw in August.

10 MR. LEE: The photos that they showed, I really  
11 couldn't see too much with those, but -- I didn't make it  
12 down there during -- before the flood.

13 MR. HOGAN: Okay.

14 MR. LEE: With Packwood Lake we would certainly  
15 like to see if, you know, we can reintroduce anadromous  
16 species into the system, but the report that I got from --  
17 this part in this report talks about trout and having issues,  
18 I guess, as far as -- as far as the report, it mentions trout  
19 being caught by the local Native Americans that used to live  
20 in this area and went up there to fish, and then it also  
21 talks about other areas [sic] that lived in -- in this area,  
22 one of whom was a people that Packwood Lake was named after  
23 that said they used to go up there and catch these fish by  
24 the sack-fulls because there were no game regulations, and I  
25 just need to know -- I guess understand if there were game

1 regulations on trout habitat or any species of trout at that  
2 time or have there ever been game regulations on trout? You  
3 know, why was that a concern to them?

4 And I'm thinking that perhaps they may have been  
5 steelhead which were only changed to salmonids about 15 years  
6 ago, and they were considered a trout back then. But if we  
7 can reintroduce, you know, sea runs that cuts back up there  
8 or steelhead and sockeye being a species that we may be able  
9 to reintroduce.

10 And as far as barriers, in Alaska they use a  
11 Denil type of fish ladder, which I understand is pretty  
12 simple, to be able -- very feasible as far as costs. Perhaps  
13 we can look into something like that as far as if those fish  
14 passages are indeed barriers. I think that's all I have.

15 MR. HOGAN: Okay. So you'd be interested in  
16 looking into reintroduction of anadromous fish into Packwood  
17 Lake and providing passage throughout Lake Creek, correct?

18 MR. LEE: Yeah. I haven't really had the  
19 opportunity to visit these barriers that have been referenced  
20 at -- River Mile 1.3?

21 MR. BLUM: And 2, yeah. 1 and 2.

22 MR. LEE: And what was the other one?

23 MR. BLUM: Well, the big one is a 30-foot  
24 waterfall right at Mile 2.

25 MR. HOGAN: So does anybody else have comments or

1 concerns on water quality, or fisheries, or aquatics?

2 MR. ROLAND: Well, the Forest Service, for those  
3 of you who haven't come to the meetings until today, has  
4 prepared a series of what I think of as white papers  
5 addressing potential Forest Service concerns with the  
6 project, and they are sort of organized by resource area, and  
7 we have them posted on our Forest Service web page. And  
8 rather than read off the long URL for that, I will just  
9 circulate this, and if you're interested, you can copy it  
10 down. It's on the bottom of this page that we're sending  
11 around. So I'd encourage you to look at that, and if anybody  
12 has any comments on it, we'd certainly like to get those.

13 I will say that a couple of them, I know will be  
14 updated before we -- we plan to submit those with the other  
15 things that are due on March 12th, and we will be updating  
16 the water quality; the EES folks pointed out some problems  
17 with some of the temperature data that at least I know need  
18 to be fixed, the one that speaks to road access; and the  
19 tunnel leaks, there's going to be some changes in that one as  
20 well.

21 But as far as, you know, aquatics goes, I suppose  
22 I could stand up here and read that, but I'm not going to.  
23 I'll just kind of walk through the issues that we have  
24 identified and will be requesting studies to try to get a lot  
25 better handle on, you know, the nature of the project-related

1 effects, and many of these, if not all of them, I think have  
2 been mentioned already.

3 The first is this thing about, you know, how much  
4 water do we need in Lake Creek to have healthy ecosystems  
5 for, you know, optimum fish habitat and habitat for other  
6 aquatic species. We are concerned about prospective projects  
7 on fish passage, that includes fish passage in the  
8 tributaries above Lake Creek, downstream fish passage from  
9 Lake Creek -- I'm sorry, from Packwood Lake into Lake Creek,  
10 upstream fish passage from the section of Lake Creek  
11 immediately below the drop structure, and also, as you've  
12 already mentioned, the effect of having primarily the flume  
13 culvert that goes under Snyder Creek, a concern about  
14 possible entrainment by the diversion structure, whether fish  
15 are able to negotiate the flow velocities in that area, and  
16 there was mentioned a steady progress on that.

17 Concern of standing of fish in the tailrace and  
18 the tailrace slough due to ramping of, you know, closing the  
19 turbines. Concern about, in relation to the flow in Lake  
20 Creek , whether there's enough flow in Lake Creek to give us  
21 the sediment transport that we need to make sure we have the  
22 right substrates in the lower reaches of Lake Creek to  
23 support spawning for anadromous fish in the mouth of Lake  
24 Creek.

25 Likewise, we are getting sort of three aspects to

1 the large wood. You know, the first is what's happening to  
2 large wood that's collected in the lake? Should it be moved  
3 over the drop structure and left to go on down Lake Creek?  
4 Second is, is there a -- you know, assuming that may not have  
5 been happening for the last 50 years, is Lake Creek deficient  
6 in large wood, and should we be concerned about that?

7 MS. SHERMAN: John, are these aquatics issues or  
8 are those water resource issues? I'm just trying to  
9 understand if it would still be documented and delineated  
10 from water quality and fisheries.

11 MR. ROLAND: I think -- The large wood, I think,  
12 fits more in the aquatics, and there may be some water  
13 quality connections to it.

14 MS. SHERMAN: So you're asking about the large  
15 wood in terms of habitat --

16 MR. ROLAND: Yes, yes.

17 MS. SHERMAN: -- and not in terms of sediment.

18 MR. ROLAND: Yes. To mean simply that they're  
19 related.

20 MS. SHERMAN: Okay.

21 MR. ROLAND: And, you know, just as a category,  
22 we're also concerned about meeting water quality standards,  
23 and that's been talked about. I think that's what I have put  
24 in that box of aquatic potential issues.

25 MR. HOGAN: Great.

1 MR. ROLAND: One thing I did mention, and Laura  
2 did, is the level of the lake during the summer. Whether  
3 that should continue to be held constant throughout the  
4 summer period is something we're also wondering about.

5 MR. HOGAN: What are you thinking of?

6 MR. ROLAND: Well, the conversations we've had is  
7 that that's not a natural situation to have that lake level  
8 to be high in the summer. The natural situation would be  
9 lower in the summer, and, you know, high in the spring.

10 MS. SHERMAN: Sorry. Can I ask another question?  
11 I've got a lot of them. When we talked at the last site  
12 visit, I thought that Energy Northwest was actually  
13 interested in making a change to lake level requirements than  
14 they presently have in the pre-application. Is that not the  
15 case?

16 MS. SCHINNELL: No. We have not proposed any  
17 changes to the existing relicense positions.

18 MS. SHERMAN: Okay. I thought there was an  
19 interest in additional flexibility.

20 MR. KIEL: The only thing we had discussed was  
21 the plus or minus 6 inches around the constant summertime  
22 level.

23 MS. SHERMAN: Okay. And possibly making that  
24 large so that you don't burn through all of it?

25 MR. KIEL: The current license says that we're

1       supposed to hold it at 2,857 feet, period.

2                   MS. SHERMAN:  Oh.

3                   MR. KIEL:  We wanted to add plus or minus 6  
4 inches.

5                   MS. SCHINNELL:  It's been interpreted to us in a  
6 letter, but it's not -- it somehow came out of the licensing  
7 conditions, so all we would do is put that in.  I mean,  
8 that's all we would do.

9                   MS. SHERMAN:  It's essentially the same.  It's  
10 just --

11                   MS. SCHINNELL:  Yeah, it's essentially the same.

12                   MS. SHERMAN:  Okay.

13                   MR. HOGAN:  Okay.  Does anybody else have  
14 anything they'd like to add for aquatic resources, water  
15 quality, or fisheries?

16                   MS. SHERMAN:  I just had one more question before  
17 I start.  Is the U.S. Fish and Wildlife Service here or NOAA  
18 here or --

19                   MR. HOGAN:  No.

20                   MS. SCHINNELL:  No.

21                   MS. SHERMAN:  Anybody here from Ecology?

22                   MR. HOGAN:  No.

23                   MS. SCHINNELL:  No.

24                   MS. SHERMAN:  I'm sorry, I didn't hear where you  
25 were from.

1 MS. LYNDE: I'm with Louis Berger Group.

2 MS. SHERMAN: So did all the agencies meet  
3 yesterday? Was there a substance of discussion there?

4 MR. HOGAN: No. Yesterday, for those of you who  
5 don't know, we had a workshop on study requests and  
6 development of study requests. Within that meeting we  
7 specifically asked that the merits of the Packwood Lake  
8 Hydroelectric Project not be discussed, and we were talking  
9 ILP process, and that the forum for discussing merits of the  
10 Packwood Lake Hydroelectric Project would be today at the  
11 scoping meeting, so --

12 MS. SHERMAN: Okay. So you guys are waiting  
13 until March 12th to get information from them, but right now  
14 there's nothing on the record from these other agencies  
15 commenting on it?

16 MR. HOGAN: That is true.

17 MS. VECCHIO: Unless they come tonight.

18 MR. HOGAN: Correct.

19 MS. SHERMAN: Oh, to the public session, right.

20 MR. HOGAN: Right.

21 MS. SHERMAN: Well, I looked at the scoping  
22 document. I did find it a little confusing because the level  
23 of the detail is really -- well, it's not detailed. And I  
24 didn't know where it came from because it seems like, you  
25 know, from what we've -- just the issues Laura brought up

1       were significantly more detailed and more specific and the  
2       PAD lists a lot more issues that are significantly more  
3       detailed and specific.  So maybe you could help those --  
4       another question, sorry -- give me a sense of how detailed  
5       you need to be in the scoping documents or what the  
6       requirements are for detail.

7                   MR. HOGAN:  Our scoping documents are designed to  
8       be very general and say, okay, we've identified the water  
9       quality as an initial concern, for instance, and then leave  
10      it there.  The idea is we want to -- at the scoping meetings,  
11      we want folks for inform us as to really what specifically  
12      should we be looking at with water quality.  We don't want to  
13      preempt the process or make any pre-decisions for the folks  
14      who the project affects, and so by having a general scoping  
15      document, it allows for the scoping process to work the way  
16      it's supposed to, which is for you to inform us of what your  
17      concerns and issues are, rather than us to inform you what  
18      the concerns and issues should be.

19                   MS. SHERMAN:  Okay.  And then the scoping  
20      documents we can expect to be built through the -- based on  
21      the comments.

22                   MR. HOGAN:  Based on the comments.  And the new  
23      comments that we hear, you should see incorporated in the  
24      Scoping Document 2.

25                   MS. SHERMAN:  Okay.  Because I read in the

1 section -- I think it's in the introductory section that, you  
2 know, if the Scoping Document 1 is sufficiently detailed,  
3 then they don't need to issue a Scoping Document 2, so  
4 that it appears to me that at this level of detail you  
5 wouldn't be expecting to --

6 MR. HOGAN: Yeah. It depends on the prompts, you  
7 know.

8 MS. SHERMAN: Okay.

9 MR. HOGAN: And from what we've already heard, I  
10 can see where we'd be having another one.

11 MS. SHERMAN: Yeah. And then I pulled out,  
12 actually, a Smith Mountain Scoping Document 1 which is an ILP  
13 also in Virginia, and they put in things like for water  
14 resources, for example, project compliance to state water  
15 quality standards. Is that something that's the level -- is  
16 that assurance something that needs to go into your scoping  
17 document? This is actually pretty -- it's much more  
18 detailed.

19 MR. HOGAN: It's a different branch.

20 MS. SHERMAN: Oh, okay, okay. Well, I just  
21 didn't know if this was -- Well, I mean, they do list species  
22 they have an affect on, so, for example, like endangered and  
23 threatened species, it just says something about, you know,  
24 affects of operation on any species. Anyway, we'll get to  
25 that when we get to that.

1                   So the aquatic resources, I noticed in the  
2 proposed studies it says IFIM. Could you tell me why you  
3 chose IFIM? Was that under the direction of agencies or --

4                   MS. SCHINNELL: I'll let John speak to that.

5                   MR. BLUM: It's the most accepted method and was  
6 one recommended by the agencies. It's the one that's had the  
7 most peer review, as well as, you know, being used and  
8 contested in court. So we chose that method with three-flow  
9 regression versus a one-flow method with that agency  
10 concurrence on transects the whole nine yards all the way  
11 along.

12                  MS. SHERMAN: Okay. Is some of that stuff right  
13 there in y'all's website? Is that right? Because you  
14 described that in our meeting as something that might be  
15 worked out by committee.

16                  MS. SCHINNELL: Yeah.

17                  MR. DOUGHTY: As a point of clarification, the  
18 instream flow studies and water quality studies that are  
19 ongoing were initiated back in March in terms of consultation  
20 with agencies. That was part of, and is part of, the 401  
21 Application, how that would -- how those studies were  
22 initiated under 401.

23                  MS. SHERMAN: It's part of 401?

24                  MR. BLUM: Uh-huh.

25                  MS. SHERMAN: Do you know if Ecology is keeping a

1 record? Just to take --

2 MS. SCHINNELL: Well, we haven't officially  
3 submitted any 401, but we wanted -- based on Ecology's draft  
4 guidance, that they wanted early input into potential.  
5 That's why we decided to form a group early on. Also,  
6 because we knew there was very limited data about Packwood  
7 Lake. So I don't know if they're keeping any official record  
8 other than relying on the documents that we issued.

9 MS. SHERMAN: Okay. And so it sounds like some  
10 of those studies may or may not be a part of the FERC record  
11 ultimately.

12 MS. SCHINNELL: Well, I think they will be part  
13 of it, they'll be part of the FERC record. So what we would  
14 expect is, based on our first season of studies, people will  
15 potentially -- you know, put in their study requests that,  
16 okay, first season, you know, this is what we've done. Now,  
17 for a second season, we'd like to see this. Some of it may  
18 be because we don't have all the results from Study Season 1,  
19 or now that they've had a chance to see a little bit of data,  
20 we can -- you know, let's go in this direction and focus on  
21 these things. But it will all be a part of what you see in  
22 the FERC record.

23 MS. SHERMAN: Okay.

24 MR. BLUM: And there was some pretty extensive  
25 protocol reports that we put out last year for the water

1 quality and instream flow studies, so they were all part of  
2 the record as far as what we were developing for the 401.

3 MS. SCHINNELL: And what we would expect to do in  
4 our -- when we submit our draft study plan is you will see  
5 these studies carried forward and submitted.

6 MS. SHERMAN: So even though it's for the purpose  
7 of the 401, you're not tracking it separately.

8 MS. SCHINNELL: No. You know, we'll bring them  
9 all into this FERC process.

10 MS. SHERMAN: Okay. Great. And another  
11 question. I was looking at your studies from the PAD, your  
12 proposed studies. Is there anything that's going address  
13 like a -- you know, macrovertebrates, something besides  
14 anadromous fish?

15 MS. SCHINNELL: Well, we do have periphyton  
16 sampling out there, and we may be looking at some other  
17 species. Did you have something specific in mind?

18 MS. SHERMAN: Well, I just didn't know if you did  
19 any surveys about project impacts to determine which species  
20 were impacted by it, or had been there historically, or had  
21 any -- you know, sort of the rationale for determining which  
22 species you're going to concentrate on, sort of as a  
23 preliminary step to the studies, you know.

24 MS. SCHINNELL: Well, we did do, if you will, a  
25 literature search to find out what we could about what was

1       there to you begin with. In some cases, it's very  
2       broad-based information. Some cases could be in the Pacific  
3       Northwest, in other cases we did have some historical  
4       information that said, you know, Chinook used to be here many  
5       years ago in the upper areas. But the smaller the creature,  
6       if you will, the less information there was about it. We  
7       relied on reports from the documents to say, again, this is  
8       typical of what would be in the forest environment. Does  
9       that kind of answer what your question was?

10               MS. SHERMAN: Maybe I need to go back and look at  
11       the PAD more closely. There's just a lot of information  
12       there, so --

13               MS. SCHINNELL: Yeah.

14               MS. SHERMAN: And then just one more question  
15       building out from something John said earlier about  
16       substrates. You know, could you just sort of describe the  
17       direction? Are you going at it from a habitat perspective,  
18       or are you going at it from a fish, you know, perspective?  
19       It sounds like you're doing a lot of surveys to determine  
20       where the fish are and where they've been, but sort of like,  
21       have you identified, you know -- Well, have you done any  
22       surveys like a habitat structure type of thing, just some  
23       really detailed stuff on Lake Creek, and then, you know, sort  
24       of gone at it from that direction; what fish can be expected  
25       to be where at times, and what, kind of, you know, are the

1 ideal conditions for them, instead of, you know, just  
2 identifying the presence?

3 MR. BLUM: What we've done so far, and, again,  
4 the focus of what we were looking at initially was for 401 to  
5 go in with the instream flow study and the water quality work  
6 for that. Our focus initially was on the habitat in Lake  
7 Creek, and it wasn't done to address, necessarily, issues of,  
8 like, large wood debris; it was to help us break out study  
9 reaches and typify the habitats that were found within each  
10 one of the reaches as we traveled down the creek.

11 So we took a measurement about every 150 -- 100  
12 feet to 150 feet down the creek and measured the different  
13 habitat types. We used that, and we also took into account  
14 at that point the substrate that was there, and it was a  
15 ripple, a pool, or whatever, we then went back after we  
16 looked at our weights and what we had there. It showed  
17 transects that represented the different type of habitats,  
18 so, in that essence, the instream flow study is  
19 habitat-based, and it looks at substrates, depths, and  
20 velocities.

21 However, it doesn't answer the question of what  
22 fish are there and what are they actually using, and so we  
23 did another part as well, and what it is is snorkeling and  
24 electroshocking, and also some preference curve verifications  
25 through snorkeling, and we were continuing to do some

1 anadromous salmon surveys down in Lower Lake Creek up to, for  
2 sure, all the time at the chute, which is 1.03, and sometimes  
3 up to as far as Mile Point 2 depending on if you could safely  
4 get up there, it's all in a canyon, and we've also been doing  
5 surveys at the tailrace where it goes into the Cowlitz River  
6 itself. So we've been doing those surveys every two weeks.  
7 Did I give you an idea in the statement I've provided?

8 MS. SHERMAN: Every two weeks since last March?

9 MR. BLUM: Since -- I think we started in July.

10 MS. SHERMAN: In July.

11 MR. BLUM: So far we've seen Chinook and coho.  
12 We haven't seen any steelhead yet in either one. And after  
13 the two major events that came through the Cowlitz Slough,  
14 one in December 11th, the other one just two weeks ago in  
15 January, we found that many of the redds had been either  
16 destroyed or displaced. Some of the gravel is now covered  
17 with silt, but other areas that were covered with silt are  
18 now gravel. And after the really big flood two weeks ago,  
19 Ken and his -- you know, we went down there yesterday, that  
20 entire slough used to be little side tributaries that were  
21 sand, and the project would back up into them. All the sand  
22 is now gone, most of the Cowlitz River now goes -- comes in  
23 there, and what was now -- what was sand is now gravel, the  
24 whole thing. So it looks like the only intact part is right  
25 below the tailrace right before where the Cowlitz bends in at

1 that little gutter. So we've been dealing with that.

2 We've gone back there since then, have seen brand  
3 new coho at Lake Creek, haven't seen anything yet in the  
4 tailrace. And part of that is turbidity. In fact, since  
5 it's now the river flowing there instead of just the  
6 powerhouse water, it's so turbulent yet and so dirty that we  
7 haven't been able to see exactly what's there, so we're  
8 having to wait until it cools off.

9 MS. SHERMAN: And how does that affect the limit  
10 of your -- you know, the limit of your project study area?  
11 If the Cowlitz comes over and takes over a piece of the  
12 tailrace -- well, what was before, you know, not just the  
13 tailrace, and it's no longer there, are you still studying at  
14 that depth? I mean, what is the likelihood that the Cowlitz  
15 will kind of return to it's old flow? I mean, I know it's  
16 kind of an unpredictable river at that point and  
17 rivers change course like that.

18 MR. BLUM: I think it's changed four times since  
19 '93, twice this year, so it's hard to predict what it's going  
20 to do.

21 MS. SHERMAN: But you're still studying at that  
22 depth and --

23 MR. BLUM: We're still looking at that area.

24 MS. SHERMAN: Okay. Thanks.

25 MR. HOGAN: Okay. Does that conclude water

1 quality, fisheries, and aquatic resources? (No response.)

2 Does anybody have any issues they would like to  
3 discuss regarding geology and soils? (No response.)

4 WDF&W in your PAD raised an issue on a Stability  
5 Tunnel No. 2. Apparently, there was a landslide that  
6 occurred or something, and I believe there was a repair? Can  
7 you just --

8 MS. SCHINNELL: We had -- One of the tunnels was  
9 leaking as a result of at the lake there had been a  
10 landslide. We have subsequently repaired the tunnel. We  
11 actually also have to supply reports to the regional engineer  
12 on penstock and tunnels, and maybe Bill can address in more  
13 detail what we did.

14 MR. KIEL: Yes. The tunnel had some leaks in the  
15 lower section of Tunnel 2, about the lower 3-or-400 feet, so  
16 we replaced -- we put a liner inside there. We put a  
17 membrane liner on the inside and added some steel structure  
18 and concrete to grout all that into place, and that's pretty  
19 much the end of the leakage in Tunnel 2.

20 MR. HOGAN: And no other cement columns anywhere  
21 else?

22 MR. KIEL: No.

23 MR. ROLAND: The Forest Service has some concerns  
24 about further leaks of the pipeline tunnel as well as an  
25 interest to confirm that it is not continuing to leak. The

1 water coming from the French drain, as we've heard it called  
2 the French drain, that you pass when you walk in the fail  
3 here --

4 MR. KIEL: From Tunnel 1?

5 MR. ROLAND: Yeah. It appears to be warmer than  
6 it would be if it was just groundwater, and we would like to  
7 confirm whether or not that is continuing to leak. Also,  
8 there is a wet area, and I'm not sure I have -- I'd have to  
9 look at this in perspective, but there is a wet area  
10 somewhere above the lower road that our folks think may be a  
11 leak as well. So, you know, I'm not sure myself what our  
12 tolerance level is for leaks, whether it's no tolerance or  
13 whether there's some level we might be able to accommodate if  
14 no resource damage is being done. That's just something we  
15 need to sort out for ourselves.

16 And the other thing related to the leak in 2000,  
17 I think we would like to see that area sort of rehabilitated  
18 and stabilized where we had the landslide in 2000.

19 MR. HOGAN: Anybody else have any other issues  
20 regarding geology and soils? (No response.)

21 All right. I believe our next topic would be  
22 terrestrial resources. In the layout we lumped terrestrial  
23 resources and threatened/endangered species together.  
24 Anybody want to talk about terrestrial resources or  
25 threatened/endangered species?

1 MS. SHERMAN: Did I read correctly that it's the  
2 fish and eagles, and that's all you guys have identified?

3 MS. SCHINNELL: Say that again?

4 MS. SHERMAN: The only species that are impacted  
5 by the project operations that are threatened or endangered,  
6 in this case, is the bald eagle and fish?

7 MS. SCHINNELL: Potentially.

8 MS. SHERMAN: So far as you've identified, you  
9 haven't identified anything else?

10 MS. SCHINNELL: We really haven't identified  
11 anything else, and we would say there's some question as to  
12 whether that would include the bald eagle.

13 MS. SHERMAN: Okay.

14 MS. SCHINNELL: Obviously they're present in the  
15 area, but how does that relate to the project.

16 MR. HOGAN: So you haven't made, in effect, a  
17 call yet?

18 MS. SCHINNELL: That's it.

19 MR. ROLAND: Where we're at is we don't have a  
20 lot of information on what's in the area. We may be  
21 submitting a request to learn more about species that might  
22 be affected by the project.

23 MR. HOGAN: As far as their presence or --

24 MR. ROLAND: I guess it's kind of two steps. One  
25 is to determine that they would potentially be affected, and,

1 two, are they in the area.

2 MR. HOGAN: Is that specific to T&E species or  
3 all terrestrial species?

4 MR. ROLAND: I don't know of any T&E species that  
5 we're worried about right now. There may be some more  
6 sensitive or more rare species, and we may not have anything.  
7 One that has been talked quite a bit is the amphibians -- the  
8 amphibians in Lake Creek; tailed frogs and giant salamander.

9 MR. HOGAN: And that's one of the studies you  
10 conducted?

11 MS. SCHINNELL: We're at least discussing is  
12 there a reasonable preference curve, what information could  
13 be gained by studying that, and that discussion. The Forest  
14 Service expert and the WDFW experts are providing information  
15 to EES Consulting, and then that more technical group will  
16 take a look at that.

17 MR. HOGAN: Are those species that you're kind of  
18 always on the lookout for while you're going in and out of  
19 the project for other purposes perhaps?

20 MR. BLUM: No. But we've run into the giant  
21 salamander while doing electroshock. We certainly saw that.

22 MR. DOUGHTY: For clarification, we don't know  
23 whether it's a propostenic (phonetic) salamander.

24 MR. BLUM: No, we don't.

25 MS. SCHINNELL: What was expressed by the experts

1 is that it's not so much that they require a particular flow;  
2 it's that you just don't suddenly increase flow. And that  
3 had been the large bird discussion that we had a couple weeks  
4 ago.

5 MR. HOGAN: Any other comments on terrestrial  
6 resources or threatened/endangered species? (No response.)

7 Recreation, land use, and aesthetics? Forest  
8 Service?

9 MR. ROLAND: Recreation is kind of a hard one for  
10 us because the project doesn't seem to have a big effect on  
11 recreation beyond the fact that the project has improved  
12 access to the lake. However, we -- the way we read the  
13 regulations to the Federal Power Act, it seems the utilities  
14 have a responsibility to improve recreation opportunities at  
15 their project, and we would think likely to invoke that  
16 regulation, and we'll probably be seeking some support from  
17 the utility to help us better manage recreation use in the  
18 area.

19 Around the lake, there is a lot of bare soil  
20 which is a result of probably too much overnight camping  
21 occurring, so we'd probably like to designate some places  
22 where we would allow camping and would limit use to those  
23 areas.

24 We'd like to improve sanitation. Right now  
25 there's really only one toilet facility at the lake, and it

1 was vandalized, I guess near the end of last season, and will  
2 be out of commission for a while.

3           There was no problem with the water at the lake,  
4 but I think -- you know, it's kind of a -- I'm trying to kind  
5 of strike a delicate balance so we're not -- we don't want to  
6 make anything to attract more to recreation at the lake. We  
7 want to manage what is occurring to the standards we have  
8 to -- or are supposed to adhere to. So we'd like to limit  
9 overnight camping to sites where we think we can best  
10 accommodate it and provide for that kind of use to the  
11 standards. So there should be some better sanitation than  
12 what we have up there today.

13           MR. HOGAN: What were you thinking? Vault  
14 toilets or --

15           MR. ROLAND: I don't want to -- I don't want  
16 to -- We're not that far along.

17           MR. HOGAN: Okay.

18           MR. ROLAND: Along the lines of, you know, really  
19 not expanding use, we're also -- this is not a  
20 project-related thing, but we also think we may want to  
21 eliminate ATV use at the lake. We think some of the problems  
22 we're having is related to ATV access.

23           MR. HOGAN: And some of the problems is what you  
24 referred to earlier as far as bare earth around the lake  
25 or --

1                   MR. ROLAND: To the extent that there would be  
2 less use if people couldn't get there so conveniently, I  
3 guess. I'm really not suggesting that people are, you know,  
4 spinning doughnuts around the lake. That's not happening as  
5 much as people are coming in and hauling in cases of  
6 beverages and leaving them for us to pick up the trash and  
7 making a lot of noise and dust.

8                   MR. HOGAN: You should be able to haul it out.  
9 Obviously, they've got an ATV there.

10                  MR. ROLAND: You'd think so.

11                  MR. HOGAN: Anybody have anything they'd like to  
12 add referring to recreational land use?

13                  MS. SHERMAN: Yeah. I know that American  
14 Whitewater was interested in this project because of the --  
15 even though Lake Creek with its present flow wouldn't be able  
16 to do it, but other -- other steep -- there's a lot of  
17 steep-creeking via these kayaks. It might sound to be a  
18 death trap to you guys that have been crawling around in the  
19 Canyon areas, but they really do do these, and there are in  
20 others in the areas similar to Lake Creek, but with  
21 additional flow. What's that?

22                  MR. HOGAN: I didn't say a word. We had a  
23 hypothetical in our workshop yesterday about whitewater water  
24 flows.

25                  MS. SHERMAN: What's that got to do with this?

1                   MR. HOGAN: Oh, just yesterday's workshop, we  
2 were talking study requests, and we were trying to build a  
3 hypothetical study by using whitewater boating use. So I  
4 didn't say anything.

5                   MS. SHERMAN: Oh, yeah? Sorry. So you guys  
6 might want to think about at least doing some preliminary  
7 research on other creeks and flow levels and whether these  
8 might match up to those, especially giving access -- the  
9 Forest Service giving access to the higher -- more likely to  
10 this steep-creeking media.

11                   MR. HOGAN: It's called steep-creeking?

12                   MS. SHERMAN: Yeah. There are guys doing  
13 steep-creeking. And they do -- In AmericanWhitewater.org a  
14 lot of these creeks are very well described, and it  
15 describes -- starting to think -- is thinking about other  
16 creeks and flow levels and gradients. I can see you guys  
17 giving looks to each other. Do you have any questions?

18                   MR. BLUM: What was the name of the creek you  
19 referenced for usage?

20                   MS. SHERMAN: I didn't reference another creek.  
21 They call it steep-creeking. It's a whitewater activity.  
22 It's really limited to short, intense stretches.

23                   MR. HOGAN: And you said the information is on  
24 there?

25                   MS. SHERMAN: AmericanWhitewater.org will have a

1 list of other creeks in the region and classifications of  
2 difficulty levels, in addition to some stretches, and access,  
3 and where it's limited, and who owns the land, and a lot of  
4 information. So it's just a good way to just start looking.

5 MR. HOGAN: Anything else?

6 MS. SHERMAN: Huh-uh. Thanks.

7 MR. HOGAN: Anybody else have anything for  
8 recreational, land use, or aesthetics? (No Response.)

9 All right. Cultural resources. Cliff?

10 MR. CASSESKA: Yeah. The U.S. Forest Service  
11 archeologist, he did some surveys, and there were some sites  
12 identified, but they haven't been evaluated. Is that going  
13 to be a part of the studies, that the consultants are going  
14 evaluate these, or when the U.S. Forest Service's got to  
15 identify it, are they going to evaluate this? We don't know.  
16 That's just the point, is who is really going to evaluate  
17 these sites that haven't been evaluated?

18 MR. HOGAN: Who is it going to be? I'm having a  
19 hard time hearing you. I'm sorry.

20 MR. CASSESKA: Yeah. There are some sites that  
21 the U.S. Forest Service identified, like the fish traps, the  
22 fish gatherers -- What three? Another one was campsites.  
23 And those -- what is identified by archeologists as  
24 campsites, we're identifying as home sites because they are  
25 used, you know, over and over again by the families. And so

1 we don't label them as campsites, they were our home sites  
2 that were used. So these sites haven't been evaluated, so I  
3 don't know who's going to be responsible for evaluating  
4 these. I notice the U.S. Forest Service archeologists are  
5 the consultants that Northwest Energy has now contracted.

6 MR. BLUM: You're talking about the campsites on  
7 Packwood Lake?

8 MR. HOGAN: So you're making concerns regarding  
9 the sites on who's going to be evaluating them?

10 MR. CASSESKA: Pardon?

11 MR. HOGAN: Your concern about these identified  
12 sites is who will be doing the evaluation?

13 MR. CASSESKA: (Nodded head.)

14 MR. HOGAN: And did you have a recommendation as  
15 to who you would want to put forth on who does the  
16 evaluation?

17 MR. CASSESKA: I can't hear you. I'm sorry.

18 MR. HOGAN: That's all right.

19 MR. CASSESKA: I've got a cold and --

20 MR. HOGAN: Do you have a recommendation that you  
21 want to put forward of who does the evaluation?

22 MR. CASSESKA: I'd have to call -- you know, talk  
23 to my culture committee of the tribal counsel. And I talked  
24 to them about this before, but I really never had an  
25 opportunity to get an answer from them really. We're in the

1 process of our general counsel right now, so it's kind of  
2 hard to get to that.

3 MR. HOGAN: So maybe you want some type of  
4 involvement as to the selection of who would be doing that  
5 evaluation. Is that something that's planned in the cultural  
6 resources committee or --

7 MS. SCHINNELL: I'm not entirely sure of what all  
8 he wants, but, I mean, it's a topic for discussion with the  
9 committee.

10 MR. HOGAN: Okay.

11 MR. CASSESKA: I think another thing that --  
12 being on the project on the U.S. Forest Service as the  
13 consultants for Northwest Energy, how is that going to be  
14 compared to what U.S. Forest Service has done so far in their  
15 -- in their surveys? How are you going to mesh those  
16 together, what the Forest Service has done and what the  
17 consultants will be doing, what their evaluations will be?

18 MS. SCHINNELL: I can say the Forest Service  
19 archeologist has been very open with our consultant in  
20 providing some of this information, so there will be a  
21 coordination, and you'll all be -- the cultural resources  
22 study group will all be part of the final -- what we'd like  
23 to propose as the study plan for cultural resources, so your  
24 input next week, you know, at the beginning will be very  
25 important so that we can come up with something that's

1 agreeable to the group.

2 MR. CASSESKA: I had a concern on cultural  
3 resources that has to do with recreation. This camping,  
4 trails, trail developments, where the sites are, they're  
5 going to be close to these cultural resource site areas. You  
6 know, what's the protection and the enforcement from, you  
7 know, looting our -- you know, those things?

8 MR. HOGAN: Any other --

9 MR. CASSESKA: That's all I can think of right  
10 now.

11 MR. HOGAN: Okay. George?

12 MR. LEE: Just to kind of follow-up, I guess, is  
13 there currently any sites that are marked as cultural sites?

14 MS. SCHINNELL: "Marked" meaning identified?

15 MR. LEE: As eligible sites, yeah.

16 MS. SCHINNELL: Yes.

17 MR. LEE: There are sites.

18 MS. SCHINNELL: Yes.

19 MR. LEE: Is there boundaries around them?

20 MS. SCHINNELL: I believe one of the sites, the  
21 Forest Service has done some extents of the site, so they do  
22 know where the boundary is.

23 MR. HOGAN: You mean an actual demarkation where  
24 the people can go up and --

25 MS. SCHINNELL: I mean, it's not far down the

1 hill, but they studied it enough to plot it so they know the  
2 extent of the site.

3 MR. LEE: They know the perimeters?

4 MS. SCHINNELL: Yes. So there is one site that  
5 is registered that they have identified. We believe they  
6 have identified the boundaries of that site.

7 MR. LEE: So there would be -- there are no  
8 trails within that boundary?

9 MS. SCHINNELL: I don't know that I would say  
10 that, given where that particular site is. And we can talk  
11 about that next week because I think some of that might fall  
12 into sensitivity issues.

13 MR. HOGAN: Yeah. When it's recorded, you  
14 wouldn't want the specific location to be discussed.

15 MR. LEE: Yeah, I understand that. That's kind  
16 of where -- We don't want to expose the site.

17 MR. HOGAN: Anyone else wish to speak to cultural  
18 resources?

19 MR. CASSESKA: One more question. I have a lot  
20 of them.

21 MR. HOGAN: That's okay.

22 MR. CASSESKA: You know that part of the fish  
23 waterways in the urban area and the quality. Is there ever  
24 going to be a survey -- a cultural survey done on these? Not  
25 only on a prehistoric, but historic surveys in these areas --

1 in the Packwood urban areas?

2 MS. SCHINNELL: I know that the Forest Service  
3 has some information about, if you will, again, historic  
4 sites in the area, as well as your cultural, so there is  
5 information available that they have provided to us and to  
6 our consultant. I think, again, next week in the study  
7 group, Rick McClure, the Forest Service archeologist, is  
8 going to give us a briefing of some of the information about  
9 the area so we all will have a common understanding of what's  
10 historical, as well as your cultural resources.

11 MR. CASSESKA: I just have two comments quickly.  
12 When I read this on the cultural resources, it's quite  
13 disturbing to the Yakama Nation. He talks about William  
14 Packwood "discovering" Packwood land. Sounds like nobody was  
15 ever here or he was the first one to develop it, or  
16 something, you know, just out of the blue. That's what you  
17 call "discovered", you know, and our people was there before,  
18 you know, so it's not a discovery.

19 The other one is the language. What is labeled  
20 as the language there is the label "Sahaptin". In our  
21 language "Sahaptin" means "stranger", and we're not strangers  
22 to this land. Whoever put these labels on the language of  
23 what we speak, you know, really never consulted with the  
24 tribes on how they want to label our language. So, you know,  
25 it's disturbing when you have that we speak the Sahaptin

1 language. We're not strangers to the land. We don't speak  
2 Sahaptin language. We've got our Iptaiskin (phonetic) as our  
3 definite language, we've got the Taidnapam language that  
4 lived in the area.

5 And one thing, a lot of people wonder why the  
6 Yakama Nations is involved with the relicensing west of the  
7 Cascades. We've got over 4,500 enrolled Taidnapams in the  
8 Yakama Nation, and we still have a lot of land along the  
9 Cowlitz River. So that's our tribe, those people are  
10 enrolled in the Yakama Nation. So this kind of clarifies why  
11 we're here. Thank you.

12 (Whereupon, Mr. Bellerud entered the room.)

13 MR. HOGAN: I see we have a new guest. If you  
14 could introduce yourself there and what agency you represent.

15 MR. BELLERUD: Blane Bellerud, NOAA Fisheries.

16 MR. HOGAN: NOAA Fisheries? Welcome. Did you  
17 get to the sign-up sheet?

18 MR. BELLERUD: No. I'll find it up there.

19 MR. HOGAN: All right. As far as cultural  
20 resources go, I think that brings it to an end. Can you  
21 think of anything that I've missed or would like to add to  
22 the discussion? Blane, is there anything that you would like  
23 to discuss on any of the resource areas since you weren't  
24 here? No concerns?

25 MR. BELLERUD: Our primary concerns for NOAA

1 Fisheries is going to be at the Lower Lake Creek and the  
2 tailrace, and concerns about the affects of project  
3 operations on the tailrace in the spawning, rearing, and  
4 adult holding habitat that's present at tailrace.

5 And then also it appeared there may be some  
6 issues of modification of the whole point bar there that the  
7 tailrace cuts out through, I know that changes over the  
8 years, and evidently there's been some rip wrap. It would  
9 make things a lot easier to anticipate potential effects if  
10 we could find out more about what the objectives are in  
11 regards to maintaining the tailrace and the likely actions we  
12 might take. I know that's not very well formulated. I'm  
13 still trying to grasp it. But if they have, indeed, some rip  
14 wraps in certain areas, if that's something that's  
15 anticipated, other objectives to maintain the tailrace in a  
16 certain condition, if they still really would like to have  
17 made different modifications to the surrounding area. And  
18 then for Lower Lake Creek, basically the same thing;  
19 spawning, juvenile, adult holding habitat.

20 And then I was also a little vague about total  
21 dissolved gas in the tailrace area.

22 MR. HOGAN: You're the first person to bring up  
23 total dissolved gas in the tailrace. Can you elaborate?

24 MR. BELLERUD: Well, it's just -- I don't know  
25 that there's a problem or not, but it's always good to look

1 since you are presenting blocks and turbines and dropping it  
2 down, you know, the side of a mountain. There is a potential  
3 for gas saturation. There may or may not be in this type of  
4 project from as likely as one where especially where you have  
5 a high, open spill, but it's a good thing to at least get a  
6 bearing on it to see if there is a problem.

7 MR. DOUGHTY: What was brought up is an issue  
8 that was included in the scope of work for the 401 water  
9 quality studies monthly sampling, as well as, then, seasonal  
10 48-hour sampling, and then we targeted several-week-periods  
11 doing start-up and shut-down.

12 MS. SCHINNELL: So you just actually haven't seen  
13 the data yet.

14 MR. BELLERUD: Yeah. I haven't got to it. I  
15 thought it was probable -- that's usually the feed for the  
16 slate, but I just wanted to make sure we didn't miss it.

17 Also, back to the tailrace in regards to the  
18 habitat, the flow studies on that, I don't know if that's the  
19 proper terminology, how the project releases -- changes in  
20 project releases would affect, potentially, the habitat there  
21 and also any existing rampings.

22 MR. HOGAN: Like ramping?

23 MR. BELLERUD: Yeah, like ramping. And also  
24 instantaneous and kind of seasonal effects to redds. If you  
25 cut down from below the operating level during a certain

1 period where there's likely to be redds already been  
2 established, are they going to keep the water going?

3 MR. BLUM: We had a pretty good ramping rate  
4 study done until the river changed on us.

5 MR. BELLERUD: The river's going to do what it  
6 wants to do.

7 MR. BLUM: We're going to have to do one similar  
8 to that.

9 MR. HOGAN: You mentioned spawning and rearing.  
10 Do you have a specific species list?

11 MR. BELLERUD: Our main species of concern are  
12 Chinook, and steelhead, and coho.

13 MR. HOGAN: An earlier topic of discussion was  
14 passage up to the Lower Lake Creek potentially to the  
15 Packwood Lake and beyond. Is that --

16 MR. BELLERUD: The barrier evaluation?

17 MR. HOGAN: Yeah.

18 MR. BELLERUD: We're interested in that, too, if  
19 there was historical passage. And then the other potential  
20 passage issue is -- I can't think of the name of creek and  
21 stuff, but the passage over there by --

22 MS. SCHINNELL: Snyder Creek is the one with the  
23 culvert.

24 MR. BELLERUD: Yes. Passage of that creek for  
25 anadromous species.

1                   MR. HOGAN: Okay. Anybody else have anything  
2 else they'd like to add today? (No response.) Come on. All  
3 right. So no questions?

4                   MR. WINCHELL: I don't.

5                   MS. VECCHIO: Can you repeat what terrestrial  
6 studies you had in place and ones you were considering?

7                   MS. SCHINNELL: The studies that we're studying  
8 now?

9                   MS. VECCHIO: Yeah, yeah.

10                  MS. SCHINNELL: Sure. Some of our ongoing  
11 studies include water quality where we're documenting the  
12 existing water quality conditions, both -- physical,  
13 chemical, and biological for waters affected by the project.  
14 We're doing a hydrology analysis. We did a preliminary  
15 analysis which we issued last June as a result of that agency  
16 comments for modifying that to provide some more detail.

17                  We did a habitat assessment for Lake Creek to  
18 support the instream flow studies. We're using the  
19 incremental methodology to conduct an instream flow study for  
20 Lake Creek. We had three flows for that; the baseline, 16  
21 cfs, and 33 cfs. The 33 cfs is based on the limitations that  
22 we can test the Lake Creek. We're working -- transects were  
23 selected for the instream flow, and we're working on  
24 preference curves to use in the modeling.

25                  We had been surveying the potential anadromous

1 area around Lake Creek River Mile 1.03. River Mile 2 has  
2 been the recognized historic anadromous fish barrier.

3 We're doing spawning electrofishing and  
4 snorkeling studies. These will be conducted throughout the  
5 spawning season, as well as we're using those to determine  
6 relative distribution by moves of the species. That would be  
7 your salmonids, coho, Chinook, steelhead, rainbow trout,  
8 sucker, lamprey. Some of those we haven't actually seen, but  
9 we are looking for those, as well as whatever else we see.

10 MS. VECCHIO: I was wondering about the  
11 terrestrial.

12 MS. SCHINNELL: Oh, the terrestrial. We actually  
13 have not started any terrestrial studies.

14 MS. VECCHIO: Right. So which ones do you -- I  
15 think you mentioned --

16 MS. SCHINNELL: Well, there is the possibility  
17 for terrestrial. We had the Forest Service mention the  
18 possibility of a loon nesting study. However, that was  
19 mentioned at a time when the lake level was held constant, so  
20 that's something we would like additional information as to  
21 what it is that they would like us to study. Until I  
22 understand what potential effects the nesting have on lakes  
23 of a certain level, then it's not necessarily a good time to  
24 study nesting or its impact.

25 MS. VECCHIO: Right.

1                   MS. SCHINNELL: Another potential one that has  
2                   been mentioned was related to, if you will, the amphibians,  
3                   but that was also mentioned in relation to the instream flow  
4                   studies. So those were some of the potential studies. And  
5                   what we were waiting to hear more information on is, well,  
6                   basically to see where the study -- when -- well, so we could  
7                   have some better idea of what information an agency or a  
8                   member of the public wanted and what they were going to do  
9                   with that information, because, essentially, we're not  
10                  proposing to do anything that's going to affect the  
11                  terrestrial resource.

12                 MR. HOGAN: Okay. Does anybody have anything  
13                  else regarding resources or specific issues you'd like to  
14                  mention or raise? (No response.)

15                 Hearing nothing, I'd like to just talk about the  
16                  next steps in the process in reference to Page 27 of our  
17                  Scoping Document 1, Appendix A, in the processing schedule.  
18                  On March 12th, study requests and comments on Scoping  
19                  Document 1 and comments on the PAD are due with the  
20                  commission and the applicant, so that's a key date for  
21                  anybody who would like to make those comments or study  
22                  requests.

23                 Following that, within 45 days or by April 26th,  
24                  the commission will issue Scoping Document 1 from what we've  
25                  heard today -- I'm sorry, Scoping Document 2 from what we've

1 heard today, and that's going to be occurring up to until  
2 now. It's -- We're waiting to see what we hear, but it looks  
3 like we will be issuing a Scoping Document 2.

4 And also on that same day, Energy Northwest will  
5 be filing a proposed study plan having reviewed any of the  
6 study requests received and putting those forward and  
7 providing, I think, 90 days for agencies and interested  
8 parties to try and review that proposed study plan. And with  
9 the informal dispute resolution process occurring, and, yes,  
10 we were able to schedule some dates for placeholders for  
11 meetings to occur. And Laura -- I'll have Laura forward  
12 those on to the group for potential dates, but it's  
13 basically --

14 MS. SCHINNELL: May 26th.

15 MR. HOGAN: Yeah, May 26th. Thank you.

16 MS. SCHINNELL: And then June 14, 15th, and 16;  
17 June 28th, 29th, and the 30th; July 12th, 13th, and 14th; and  
18 August 2nd, 3rd and 4th. The first day of the series would  
19 be tentatively fish and aquatic, water quality issues; the  
20 second day in the series is terrestrial type issues, the  
21 third day of the series would be cultural resources and  
22 recreation, aesthetic, land use issues.

23 MR. HOGAN: Yes. And the May 26th meeting is a  
24 global meeting for all resource areas. Does anybody have any  
25 questions for us? (No response.) Okay. Hearing none, I

1 want to thank all of you for coming and assisting us with our  
2 NEPA scoping process, and we look forward to seeing you next  
3 time in May.

4 MS. VECCHIO: And tonight at 7:00.

5 MR. HOGAN: Oh, we have a second public meeting  
6 at 7:00 p.m. tonight, and you're obviously all welcome to  
7 attend if you like.

8 MR. DOUGHTY: Wouldn't miss it for the world.

9 MR. HOGAN: One other comment, if there is  
10 something you would like to have incorporated into the  
11 record, please provide those to the court reporter, and she  
12 can include them in the record for today.

13 (Whereupon, the meeting was concluded at 3:00  
14 p.m.)

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