Priest Rapids Fish Forum
Conference Call

Wednesday, 2 December 2020
9:00 – 10:30 a.m.

FINAL MINUTES

PRFF REPRESENTATIVES

Steve Lewis, USFWS	Patrick Verhey, Laura Heironimus, WDFW
Ralph Lampman, Donella Miller, YN	Breean Zimmerman, WDOE
TBD, Wanapum	Aaron Jackson, Carl Merkle, CTUIR
Jason McLellan, CCT	Marchelle Foster, BIA
Mike Clement, Chris Mott, Grant PUD	Tom Skiles, CRITFC/CTUIR
Tracy Hillman, Facilitator	Erin Harris, Grant PUD

ATTENDEES

RD Nelle, USFWS	Ralph Lampman, YN
Mike Clement, Grant PUD	Patrick Verhey, WDFW
Steve Lewis, USFWS	Laura Heironimus, WDFW
Tom Skiles, CRITFC/CTUIR	Donella Miller, YN
Doris Squeochs, Wanapum	Jason McLellan, CCT
Erin Harris, Grant PUD	Breean Zimmerman, WDOE
Tracy Hillman, Facilitator	Elizabeth Jackson, Observer

Action Items:

- Steve Lewis will provide an update on the Bull Trout Five-Year Status Review during the January 2021 Meeting.

I. Welcome and Introductions - Tracy Hillman welcomed everyone to the call and participants introduced themselves.

II. Agenda Review - Members reviewed and approved the December agenda.

III. Approve November Meeting Notes - Draft November Meeting Notes were reviewed and approved.

A. Review Action Items from November Meeting

1. Tracy Hillman will contact Jason McLellan and ask whether CCT agrees with postponing juvenile sturgeon acoustic tagging in the Priest Rapids Project Area. Completed. CCT approved the postponement of juvenile sturgeon acoustic tagging in the Priest Rapids Project Area.

IV. White Sturgeon

A. Update on Juvenile Rearing – Donella Miller reported that juvenile sturgeon rearing is going well. She said they have experienced a few losses but nothing that is a concern. She said the losses in the Grant PUD program are similar to those observed in the commercial program. She said she was expecting the loses to be lower in the Grant PUD program than in the commercial program, because fish for the Grant PUD program are reared at lower densities than fish in the commercial program. She added that they have just under 2,000 juveniles on station and the fish are quite large. She said they average 1.76 pounds per fish.

B. Other White Sturgeon Items – None.

V. Water Quality

A. Chelan River Use Attainability Analysis Request from Chelan PUD – Breean Zimmerman provided a brief presentation on Chelan PUD's request for a use attainability analysis (UAA) on the Chelan River (see Attachment 1). Breean said the purpose for the presentation is to inform the PRFF on the request to change the current UAA for the Chelan River. This is part of Ecology's outreach on the UAA.

Breean noted that she manages the 401 Water Quality Certification for the Lake Chelan Hydroelectric Project and has been reaching out to Tribes and stakeholders on the attainability analysis requested by Chelan PUD. She described the location of the Chelan River (and Lake Chelan) and provided background on the process. She indicated that the Chelan River is four miles long and consists of four distinct reaches. Breean said FERC relicensed the Lake Chelan Hydroelectric Project in 2006. As part of relicensing and the 401 Certification, Chelan must meet biological objectives including providing year-round flows in the Chelan River. Chelan PUD constructed a habitat channel (in Reach 4) as part of the agreement. Chelan PUD is also required to conduct studies and collect monitoring data to determine the success of the biological objectives as they relate to water quality. This work is conducted within an adaptively management framework.

Breean described the current designated uses described in the surface water quality standards for aquatic life for the Chelan River, which is year-round salmonid spawning, rearing, and migration. However, because of high water temperatures, low DO, and substrate conditions in the Chelan River, the current surface water quality standards cannot be achieved even if the Lake Chelan Hydroelectric Project did not exist. Therefore, Chelan PUD proposed the following UAA for aquatic life: (1) within Reaches 1-3 limited downstream migration only and (2) within Reach 4 limited salmonid spawning, rearing, and migration.

Breean then described briefly the nine elements (water quality standards) for amending UAA. This is covered under WAC 173-201A-440. Breean pointed out that this would result in a change in the water quality standards, but only for the Chelan River. Tracy Hillman asked if water temperatures increase from the lake to the mouth of the Chelan River. Breean responded that there is some warming within the river, but it depends on season and geology. She added that Chelan PUD draws water from a low-level outlet from the lake, which means the water entering the river is generally cooler than lake surface water during warm months.

Breean described the rulemaking timeline and noted that Ecology received the UAA proposal from Chelan PUD in December 2019. Ecology announced they are considering a change to the aquatic life designated use on the Chelan River using a UAA. If appropriate, Ecology will develop draft rule language that will be proposed in March 2021 and adopted by August or September 2021. Prior to rule adoption, the process includes holding public workshops during spring 2021 and receiving and addressing comments on the proposed UAA. She said they will be reaching out to the Tribes and others for comments. Patrick Verhey commented that during the relicensing process, it was acknowledged that temperature standards would be difficult to achieve in the Chelan River and the option to use a UAA was included in the 401 water quality certification.

Ralph Lampman asked how reaches were designated and if other species such as lamprey are considered. Breean responded that reaches were based on geomorphology and gradient. She added that an impassable natural barrier prevents fish from moving from Reach 4 into Reaches 1-3. Thus, there is no upstream connectivity. She said lamprey are not considered in this UAA.

Breean thanked the PRFF for the discussion and said she is available for further questions or comments. She also provided the following useful weblinks:

Ecology's blog on the Chelan UAA project: https://ecology.wa.gov/Blog/Posts/October-2020/If-they-build-it,-will-the-salmon-come

Ecology's website on the Chelan UAA rulemaking: https://ecology.wa.gov/Regulations-Permits/Laws-rules-rulemaking/Rulemaking/WAC173-201A-Chelan-UAA

State rules on UAAs: https://apps.leg.wa.gov/WAC/default.aspx?cite=173-201A-440

B. Other Water Quality Items – None.

VI. Bull Trout

A. Bull Trout Five-Year Status Review – Tracy Hillman asked RD Nelle and Steve Lewis to provide an update on the bull trout 5-year status review conducted by the US Fish and Wildlife Service. Steve said there was a conference call held on Friday, 20 November to discuss data needs, data sharing, and identification of threats. Because neither Steve nor RD were able to participate on the call, they have little to offer at this time. Steve said he will provide an update during the next PRFF meeting.

VII. Next Meeting: 6 January 2021.

Attachment 1: Chelan River Use Attainability Analysis: Proposal Overview by Breean Zimmerman

Chelan River Use Attainability Analysis (UAA) Proposal Overview

Water Quality Program

DEPARTMENT OF ECOLOGY
State of Washington

Lake Chelan & Chelan River

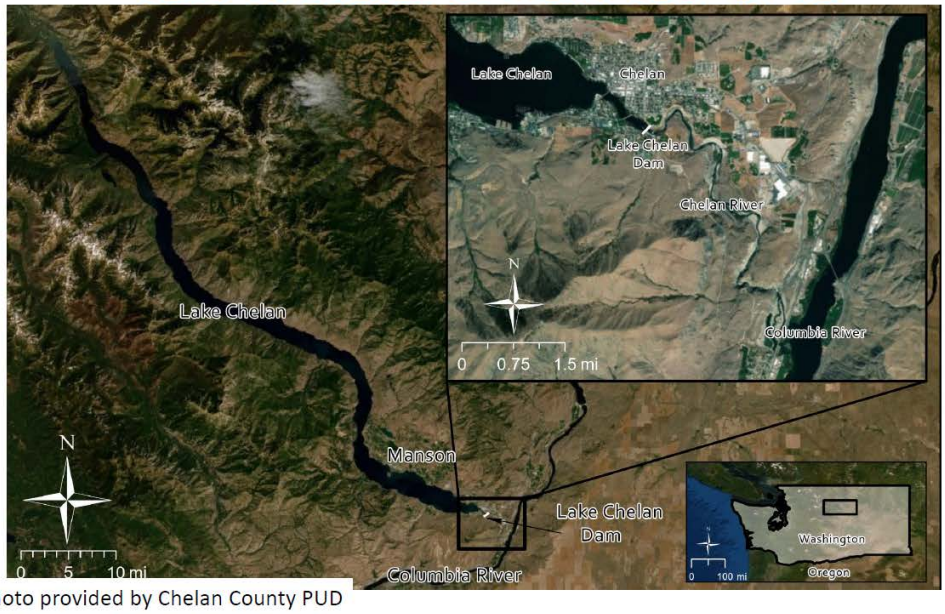

Photo provided by Chelan County PUD

Lake Chelan & Chelan River

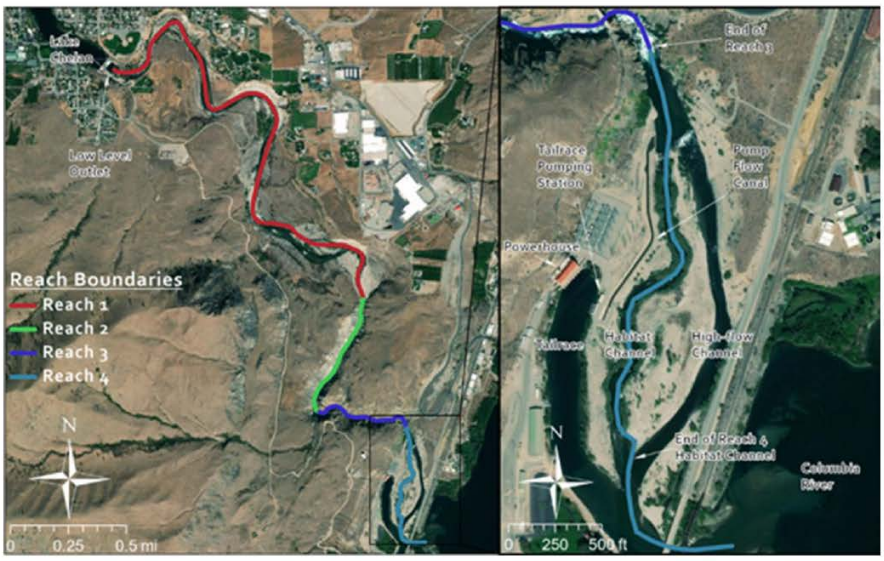

Photo provided by Chelan County PUD

Lake Chelan Hydroelectric Project
401 Water Quality Certification

Chelan River
UAA Proposal – Aquatic Life Use

Current aquatic life use: Year-round salmonid spawning, rearing, and migration.

Proposed aquatic life use:

- Reaches 1-3: Limited downstream migration only
- Reach 4: Limited salmonid spawning, rearing, and migration.

Chelan River
Water Quality Standards

WAC 173-201A-440

Use attainability analysis.

(1) Removal of a designated use for a water body assigned in this chapter must be based on a use attainability analysis (UAA). A UAA is a structured scientific assessment of the factors affecting the attainment of the use which may include physical, chemical, biological, and economic factors. A use can only be removed through a UAA if it is not existing or attainable.
(2) A UAA proposing to remove a designated use on a water body must be submitted to the department in writing and include sufficient information to demonstrate that the use is neither existing nor attainable.
(3) A UAA must be consistent with the federal regulations on designating and protecting uses (currently 40 C.F.R. 131.10).
(4) Subcategories of use protection that reflect the lower physical potential of the water body for protecting designated uses must be based upon federal regulations (currently 40 C.F.R. 131.10(c)).
(5) Allowing for seasonal uses where doing so would not harm existing or designated uses occurring in that or another season must be based upon federal regulations (currently 40 C.F.R. 131.10(f)).
(6) After receiving a proposed UAA, the department will respond within sixty days of receipt with a decision on whether to proceed toward rule making.
(7) The decision to approve a UAA is subject to a public involvement and intergovernmental coordination process, including tribal consultation.
(8) The department will maintain a list of federally recognized tribes in the state of Washington. During all stages of development and review of UAA proposals, the department will provide notice and consult with representatives of the interested affected Indian tribes on a government-to-government basis, and carefully consider their recommendations.
(9) The results of a UAA are not in effect until they have been incorporated into this chapter and approved by the USEPA.

[Statutory Authority: Chapters **90.48** and **90.54** RCW. WSR 03-14-129 (Order 02-14), § 173-201A-440, filed 7/1/03, effective 8/1/03.]

Chelan River Rulemaking

CR101: Announcement (October 26, 2020)
CR102: Proposed Rule (March 2021)
CR103: Adoption of Rule (August/September 2021)

Photo provided by Chelan County PUD (2016)