



**PRCC Habitat Subcommittee
 Conference Call**

**Thursday, 8 September 2022
 1:00 p.m. – 3:00 p.m.**

Meeting Minutes

PRCC Habitat Subcommittee Members

Kate Terrell, USFWS	Chris Fisher, CCT
Dave Duvall, Deanne Pavlik-Kunkel (alt), GPUD	Brandon Rogers, Hans Smith (alt), YN
Justin Yeager, NMFS	Carl Merkle, CTUIR
Jeremy Cram, WDFW	Erin Harris, GPUD
Nathan and Clayton Buck, Wanapum	Tracy Hillman, BioAnalysts, Facilitator

Meeting Attendees

Chris Fisher, CCT	Dave Duvall, GPUD
Brandon Rogers, YN	Kate Terrell, USFWS
Jeremy Cram, WDFW	Tim Taylor, GPUD
Deanne Pavlik-Kunkel, GPUD	Erin Harris, GPUD
Tracy Hillman, BioAnalysts	

Action Items:

- Dave Duvall will identify which acquisition projects remain open and will share those with the PRCC HabSC.
- Dave Duvall will close the Trinidad Acquisition Project.
- Once the final invoice is received, Dave Duvall will close the Toole/Mardini/Jawa Acquisition Project
- Dave Duvall will close the Okanagan Basin - K'emcniwkw Floodplain Project.
- Jeremy Cram will find out if the Libby Acquisition Project can be closed.
- Dave Duvall will have the Grant PUD attorney review the revised Deed of Right template.
- Chris Fisher will work with ONA on a final agenda for the Canada tour in October.

Decision Items¹:

- PRCC Habitat Subcommittee members reviewed the Sage and Betty appraisals and agreed the appraisals can be shared with MSRF.
- PRCC Habitat Subcommittee members approved the Deed of Right template as edited. Dave Duvall will ask Grant PUD's attorney to review the document.
- PRCC Habitat Subcommittee members approved the use of \$7,750 for maintenance work on the Libby Parcel.
- PRCC Habitat Subcommittee members agreed that all new protection projects that include a budget for property maintenance will have a termination date five years after the date the project is protected.
- PRCC Habitat Subcommittee members agreed that meetings during winter months (November through February) will be held virtually. Other times, meetings will be held in person unless travel, COVID infection rates, or other constraints preclude in-person meetings.

I. Welcome and Introductions

Tracy Hillman welcomed everyone to the meeting and participants introduced themselves. Justin Yeager was unable to attend the meeting; however, he provided his votes and input on decision items following the meeting. Thus, all decision items identified in these notes were approved by PRCC HabSC members.

II. Agenda Review

The PRCC HabSC reviewed and approved the July agenda.

III. Approve July Meeting Notes

Habitat Subcommittee members approved the 14 July 2022 meeting notes on 9 August 2022. The July notes were approved early to support contracting purposes.

IV. Review Action Items

The PRCC HabSC reviewed the following action items from the July meeting:

- Jeremy Cram will ask WDFW staff for a list and cost of actions and equipment needed for maintenance on the Libby property. **Completed. Jeremy provided a list and cost for work on the Libby property (see discussion below).**
- Jeremy Cram will send an official letter from WDFW identifying Amanda Barg as their alternate on the PRCC Habitat Subcommittee. **Complete. Jeremy sent an official letter identifying Amanda Barg as WDFW's alternate on the PRCC HabSC.**
- Chris Fisher will contact ONA to see if the Okanagan Basin - K'emcnitkw Floodplain Project is complete and can be closed. He will also see if juvenile Chinook salmon are using the backwater area. **Complete. Chris said the project is complete. Chris also reported that they did not catch any juvenile Chinook with minnow traps. This could be because there were few Chinook in the**

¹ All decision items listed here were approved by PRCC HabSC members.

area to colonize the backwater area, the minnow traps were ineffective at capturing juvenile Chinook, the fish could not access the site, or juvenile Chinook avoided the area.

- Tracy Hillman to ask ONA to explain why the Canadian Okanagan Basin Technical Working Group is limiting Sockeye escapement into the Lake this year and what this means for future passage of Sockeye into the Lake. **Complete. ONA provided reasons why the Sockeye escapement into Okanagan Lake was restricted to about 3,000 adults this year.**

V. Project Updates

Members of the PRCC HabSC provided the following updates on funded projects:

- **Wenatchee River Juvenile PIT-tag Detection Barge** – Jeremy Cram said the barge has been installed and is secure. The barge is currently collecting PIT-tag data.
- **Toole/Mardini/Jawa Acquisition Project** – Chris Fisher said Grant PUD should receive the final invoice on this project at the end of the month. The project can then be closed.
- **McIntyre Dam - Fish Jumping Efficiency Project** – Chris Fisher reported that the center gate will be the only gate opened this year. This is to help reduce lateral erosion. With the large return of Sockeye salmon, this will be a good year to test the configuration.
- **Lower Wenatchee Instream Flow Enhancement Project, Phase II Project** – Kate Terrell stated that TU is in the process of arranging a meeting with the Jones Shotwell Ditch Company (JSDC) director and the JSDC attorney to discuss next steps.
- **Weyco (Weyerhaeuser) Mill Creek Land Acquisition – CDLT Developmental Funding/Final Acquisition Project** – No new activity on this project.
- **Icicle-Peshastin Irrigation District Fish Screen Project** – No new activity on this project.
- **Assessment of Sediment Chemistry Behind Enloe Dam on the Similkameen River Project** – Chris Fisher reported that USGS completed the final Interpretive Report. He added that Ecology completed sampling and their preliminary report should be available soon.
- **Ben Canyon Creek Fish Passage Project** – Kate Terrell reported that construction on this project has begun. Work should be completed soon.
- **Cascade Orchards Icicle Creek (COIC) Flow Restoration Project** – No new activity on this project.
- **ORRI VDS Backwatering Project** – Chris Fisher reported that the sponsor (Okanagan Nation Alliance; ONA) has completed three of the five riffles. They will evaluate the project during high flows to determine whether there is bank erosion due to the constructed riffles. We will visit this project during the site tour in October.
- **Okanagan Basin - K'emcnitkw Floodplain Project** – This project was mostly discussed under Review Action Items. Regarding the lack of juvenile Chinook captured in the site, Chris Fisher noted that he received an email from Elinor McGrath (ONA). Elinor states:

I think one of the issues is that most of the off channel areas in that reach are very poorly connected to the mainstem, so Chinook really cannot access them. Between OK lake and Skaha Lake, we assessed 15 side channel areas/floodplains: 12 had no connection to the mainstem and were not sampled, 2 were partially connected (meaning there is one partially open/slightly plugged culvert at the up-or downstream end but no flow through the side channel, and 1 was fully connected – the kemcnenitkw floodplain that was

recently restored. In addition, there is little Chinook spawning activity in this reach so far. I think we counted less than 5 Chinook above Skaha lake in the prior spawning season. So a combination of few juveniles and poor access most likely.

For what it's worth, earlier that year we visually observed many Chinook fry in accessible side channels in the natural Okanagan River section in April. These areas are near the main spawning grounds and are very fish accessible. We also caught a chinook in the restored ORRI Phase 2 side channel. Most of the disconnected or poorly connected side channels had somewhat unsuitable conditions for Chinook – very stagnant warm and weedy.

We don't have ongoing spring fish sampling in these habitats – it was one-off funding. We'd like to repeat the effort though, but would have to develop funding source and objectives. From our observations last year, I have some ideas regarding improved timing, techniques, bait etc.

- **Nason Ridge Acquisition Project** – Brandon Rogers reported that the original deed of right that was signed by all parties was lost. CCNRD recently found the document and sent it to Grant PUD.
- **Shingle Creek Fish Passage** – Chris Fisher said there is no new update on Shingle Creek.

VI. Restoration/Protection Projects

Appraisals on MSRF Projects – Grant PUD received appraisals from Pacific Appraisal Associates on the Sage and Betty project sites. The appraised value of the Sage Property was \$30,000 and the value for the Betty Property was \$149,000. Members reviewed the appraisals and had no questions or concerns. Members agreed the appraisals can be shared with MSRF.

Decision: PRCC Habitat Subcommittee members reviewed the Sage and Betty appraisals and agreed the appraisals can be shared with MSRF.

VII. Administration

PRCC Habitat Subcommittee Second Quarter Expenditures and Unencumbered Balances – Tracy Hillman shared the following financial information with the Habitat Subcommittee:

Habitat Fund	Expenditures through 30 June 2022	Unencumbered Balance
601	\$1,095,407	\$4,675,809
602	\$1,590,242	\$6,955,542
603	\$707,417	\$1,803,195
Total	\$3,393,066	\$13,434,546

Deed of Right Template – Tracy Hillman shared the most recent version of the Deed of Right template that was recently reviewed by the Grant PUD attorney. As part of the review by the PRCC HabSC, Justin Yeager provided some comments and edits for the group to consider. Unfortunately, Justin was unable to join the meeting and discuss his comments and edits. Nevertheless, the group was able to work through Justin's comments and edits and agreed with his edits. The group reviewed and discussed Justin's comment regarding 1.a. Section 1.a states, "Any management activities should be for the explicit purpose of aquatic restoration, riparian enhancement, and forest health and fuels management objectives." Justin noted the latter part of this statement ("...forest health and fuels management...") is

broad and confusing and recommended it be deleted. Members present believe the statement should not be deleted because it provides protections that are not covered elsewhere in the document. [Following the meeting, Justin agreed to retain the 1.a. language for now but noted that although the Forest Service may understand what this means, private entities may not. Without defining what we mean by forest health and fuels management, the landowner may apply their own definitions and objectives. Justin would like to review this language next year when the group reviews the Operating Procedures.]

The group also reviewed Justin’s comment regarding the addition of “trails” to 1.f. Section 1.f states, “No new road construction except as needed to implement restoration...” Although the group does not want several new trails carved across the protected areas, they did not want to add trails to this statement at this time. This is because all acquisitions and conservation easements purchased with PRCC Habitat Funds require public access and it is likely better to have a trail the public uses rather than the public roaming throughout the properties creating a larger disturbance. [Following the meeting, Justin said he was fine with leaving trails out of the statement.]

Finally, members discussed the use of E-bikes on protected properties. At this time, they will not exclude the use of E-bikes on protected properties. However, if the use of E-bikes begin to create unwanted disturbances on protect properties, the Deed of Right templet will be modified to exclude E-bike use on protected properties.

Decision: PRCC Habitat Subcommittee members approved the Deed of Right template as edited. Dave Duvall will ask Grant PUD’s attorney to review the document.

Property Maintenance for the Libby Acquisition Projects – Jeremy Cram provided the following list and costs for maintenance work on the Libby Property.

Maintenance Activity	Cost
1600’ of 3-strand barbed wire fence removal	\$4,000
1 acre – Baby’s breath removal/treatment	\$500
6 acres – Noxious weed survey and treatment	\$1,000
Survey remaining 10 acres – Treat weeds	\$500
Herbicide and Adjuvants	\$250
Additional Infrastructure Removal (TBD fence, etc.)	\$1,500
Total:	\$7,750

Jeremy also provided a map of the property and the locations for various maintenance activities (see Attachment 1). Jeremy noted that the fence is not worth fixing or maintaining. He said it is best to remove the fence.

After reviewing the maintenance list and the cost of the activities, members agreed to fund the proposed maintenance activities for \$7,750. The cost of this work is covered under the existing budget.

Jeremy will ask his colleagues in WDFW whether the project can be closed after they receive funding for the proposed maintenance work.

Decision: PRCC Habitat Subcommittee members approved the use of \$7,750 for maintenance work on the Libby Parcel.

Management of Long-term Actions – Referring back to the Libby Project, Dave Duvall questioned how long funded projects should linger into the future. He also asked who will track and manage these projects that have no termination date. He said some of these projects could remain open for decades.

Members agreed that efforts should be taken to close all lingering projects (i.e., those with no termination date) and decided that all new protection projects that include a budget for property maintenance (both acquisition and conservation easements) should terminate five years after the property is protected. The group also agreed that the Grant PUD representative and project liaison should be responsible for tracking and managing ongoing projects. The PUD representative is needed because he/she is involved with contracting and tracks deliverables and invoices associated with projects funding with PRCC Habitat Funds. The liaison is also responsible for tracking the completion of funded projects. It was agreed that there may still need to be further discussion regarding enforcement, with regards to noncompliance (e.g., Deed of Right).

Members also thought it would be useful to visit some of the projects funded by the PRCC HabSC. This would allow them an opportunity to see if projects were implemented as planned, evaluate the longevity of the projects, and determine whether sponsors are maintaining protected parcels. This led to a question about enforcement. That is, if a sponsor or landowner of a protected parcel is not protecting the parcel from human disturbance, how would the PRCC HabSC enforce the protection agreement? Aside from legal action, members had little to say about enforcement. However, it would certainly influence whether the PRCC HabSC supported future protection projects submitted by the sponsor or landowner.

Dave said he will identify which acquisition projects remain open and will share those with the PRCC HabSC. Jeremy indicated the Trinidad Project can be closed. Thus, the \$25,000 allocated for property maintenance for the Trinidad Project will be returned to the PRCC Habitat Fund. As noted above, Jeremy will check on whether the Libby Project can be closed.

Decision: *PRCC Habitat Subcommittee members agreed that all new protection projects that include a budget for property maintenance will have a termination date five years after the date the project is protected.*

NMFS Five-Year Status Review – Tracy Hillman reviewed the recommendations identified in the Five-year Status Report prepared by NMFS. According to the status report, some of the greatest opportunities to advance recovery include:

- *Prioritize tributary habitat projects that improve habitat resiliency to climate change. Actions to restore riparian vegetation, streamflow, and floodplain connectivity and to re-aggregate incised stream channels can ameliorate temperature increases, base flow decreases, and peak flow increases, thereby improving population resilience to certain effects of climate change (Beechie et al. 2013).*
- *Implement habitat restoration at a watershed scale. Roni et al. (2010) found that, for a watershed, at least 20 percent of floodplain and in-channel habitat need to be restored to see a 25 percent increase in salmon smolt production. Most watersheds occupied by this species have not yet reached that level of floodplain and habitat restoration.*
- *Reconnect stream channels with their floodplains. Reintroduction of beaver (Pollock et al. 2017) and low-tech process-based methods (Wheaton et al. 2019) will facilitate widespread, low-cost floodplain restoration across the Upper Columbia basin, increasing the productivity of freshwater habitat for salmon and steelhead.*

- *Ensure that habitat improvement actions are implemented consistent with best practices for watershed restoration (Beechie et al. 2010; Hillman et al. 2015; Appendix A of NMFS 2020b).*

Tracy noted that the PRCC HabSC appears to be aligned with these recommendations. In addition, the status report recommends the following actions that are relevant to the PRCC HabSC:

- *Federal, state, tribal and private entities improving estimates of research, monitoring, and evaluation handling (electrofishing, weirs, catch and release, tagging, marking, trapping, sorting) impacts.*
- *Federal, state, tribal, and private entities continuing focus and prioritization of recovery actions on limiting factors.*
- *Federal, state, tribal and private entities implementing Research Monitoring and Evaluation (RME) actions to address critical uncertainties.*
- *Assessing options for restoring access to UCR steelhead in the Similkameen River above Enloe Dam.*
- *Implementing habitat restoration actions that address anthropogenic features limiting natural riverine processes (e.g., removal or modification of levees, roads, culverts, irrigation infrastructure, bank stabilization, etc.)*
- *Restoring fish passage in Eightmile Creek and Twenty-mile Creek, tributaries to the Chewuch River.*
- *Finalizing and implementing a long-term agreement between U.S. Bureau of Reclamation, OID, and CCT to maintain perennial stream flow in the lower 4.3 miles of Salmon Creek.*
- *Addressing issues relating to the fish screen, diversion structure, and fishway in Salmon Creek.*

Although these appear consistent with the goals of the PRCC HabSC, there can be differences of opinion among members on how these actions should be implemented. For example, all agree that floodplain reconnection and enhancement are important; however, members do not necessarily agree on how reconnection should occur. These are issues members will need to resolve, because the PRCC HabSC will likely see more applications requesting funding for floodplain reconnection and enhancement projects.

Following the release of the Five-year Status Report, Tracy received the following email from Steve Kolk, Bureau of Reclamation.

After reading the recent CBB article on the 5 year status update that includes UC spring Chinook and Steelhead, I have a suggestion that might be useful for the Tributary Committees. From the article:

*Although the listings for each of the seven species remains unchanged, NOAA says there is an “increased level of concern” due to climate change and for that reason **urgent action is needed**, including further improving passage through hydropower dams, **restoring tributary** and estuary habitat, controlling predators and modifying hatchery practices. (my highlights)*

The Tributary committees, not entirely unlike the Actions Agencies, have an obligation to apply resources to improve tributary habitat for ESA-listed species. But unlike the Action Agencies, the Tributary Committees appear to have thus far operated in a reactive manner instead of the proactive manner that I interpret being endorsed in NOAA's latest assessment. One way to do

this would be for the committees to set goals for themselves in terms of completing a certain number of projects (or expenditures) within a defined timeframe, and working with partners to identify the best opportunities to improve habitat. The current TC and PRCC model focuses exclusively on fiscal accountability while seemingly ignoring biological or ecological accountability. If things are as dire as they are being reported, we need a way to break out of our business as usual mindset.

Members had mixed feelings regarding the email from Steve. Members noted that the email from Steve was likely triggered in part by a decision by the HCP TCs to pull back their support for some of the proposed actions or elements associated with the Sugar Project. The pull back was based in part on the low benefit per cost of some elements. Members noted that the decision for the PRCC HabSC and HCP TCs to partner with the Bureau of Reclamation and project sponsors on targeted projects was based on the shared understanding that any party could leave the partnership at any time. When the HCP TCs realized that some of the proposed actions were not cost effective, they pulled back some of their support. Nevertheless, they still support some of the proposed elements and continue to work with the Bureau and project sponsor on the Sugar Project.

Some members agree that the PRCC HabSC and HCP TCs have operated in a reactive manner instead of a proactive manner. Although setting goals for completing a certain number of projects within a defined timeframe is probably not necessary, the identification and implementation of targeted projects is a reasonable goal. Here, the focus would be on projects all members agree are important and there would be consensus on how the actions would be implemented. More discussion about targeted projects will occur within the PRCC HabSC and HCP TCs. It was pointed out that the HCP TCs did move in this direction and the Sugar Project was one of their targeted projects.

Canada Site Tour – Tracy Hillman shared the draft agenda for the Canada site tour, which is scheduled for 12-13 October. Chris Fisher indicated that he would show members the culvert replacement projects on Johnson Creek on the way up to Canada. During the return trip, members will visit Enloe Dam on the Similkameen River. Chris will work with the Okanagan Nation Alliance (ONA) on a final agenda, which Tracy will share with the PRCC HabSC as soon as it is available. Brandon Rogers asked that the agenda include time for a discussion on the management of sockeye salmon and the numbers of adults that are allowed to pass into Okanagan Lake. Chris will relay this suggestion to ONA. Jeremy Cram shared that those going to Canada will need to download and complete the “ArriveCAN” app.

Meeting Schedule – Tracy Hillman described a proposed meeting schedule for the PRCC HabSC. Specifically, he proposed times when the group would meet virtually rather than in person. He indicated that the PRCC and HCP TCs have agreed to meet virtually during the winter (November through February) because winter travel can be difficult for some members and suggested the PRCC HabSC follow the same schedule. Other times, when weather is more conducive for travel and COVID infection rates are relatively low (according to the CDC), the PRCC HabSC can meet in person provided members agree to show up for the meeting. Recently, in-person meetings were attended in person by only two or three people. Members agreed to the proposed schedule and noted that in-person meetings are preferred to virtual meetings because discussions are more fruitful and members are less reserved. All in-person meetings will retain virtual access because some members may not be able to travel for various reasons.

Decision: *PRCC Habitat Subcommittee members agreed that meetings during winter months (November through February) will be held virtually. Other times, meetings will be held in person unless travel, COVID infection rates, or other constraints preclude in-person meetings.*

VIII. Adjourn

Tracy Hillman adjourned the meeting at 3:00 pm.

IX. Next Meeting

The PRCC HabSC will not officially meet in October. Some members of the HabSC will participate on the site tours in Canada on 12-13 October. The next meeting of the PRCC HabSC will be on 10 November 2022.

Attachment 1

Map of the Libby Parcel and Proposed Maintenance Activities

