



PRCC Habitat Subcommittee Conference Call

**Thursday, 12 August 2021
1:00 p.m. – 3:00 p.m.**

Final Meeting Minutes

PRCC Habitat Subcommittee Members

Kate Terrell, USFWS

Dave Duvall, Deanne Pavlik-Kunkel (alt), GPUD

Justin Yeager, NMFS

Jeremy Cram, Ben Truscott (alt), WDFW

Tracy Hillman, BioAnalysts, Facilitator

Chris Fisher, CCT

Brandon Rogers, Hans Smith (alt), YN

Carl Merkle, CTUIR

Erin Harris, GPUD

Meeting Attendees

Chris Fisher, CCT

Brandon Rogers, YN

Dave Duvall, GPUD

Deanne Pavlik-Kunkel, GPUD

Tracy Hillman, BioAnalysts

Justin Yeager, NMFS

Kate Terrell, USFWS

Jeremy Cram, WDFW

Erin Harris, GPUD

Action Items:

- Dave Duvall and Denny Rohr will draft Operating Procedures for the PRCC Habitat Subcommittee. The Operating Procedures will include definitions for abstention and recusal.
- Dave Duvall will work with GPUD staff to determine the amount of money spent on assessments and monitoring.
- PRCC Habitat Subcommittee members will discuss the geographic boundary for eligible projects funded under the Habitat Plan.
- Dave Duvall will provide Tracy Hillman with the PRCC Habitat Subcommittee logo. The logo will be used on letters to project sponsors.
- Kate Terrell will share the newspaper article indicating the purchase of the Weyco Mill Creek parcel. Jeremy Cram will secure additional information on the status of the parcel from Mickey Fleming.
- Chris Fisher will request the sampling data on the Penticton Channel Culvert Project and share them with the Habitat Subcommittee.

- Chris Fisher will forward the email he received from Mickey Fleming regarding the Jawa property to the Habitat Subcommittee.
- I. **Welcome and Introductions** – Tracy Hillman welcomed everyone to the call and thanked them for allowing him to be the new PRCC – Habitat Subcommittee (HabSC) facilitator.
 - II. **Agenda Review** – Members reviewed and approved the agenda. Dave Duvall briefly discussed the Habitat Funding Agreement (HFA) process. Dave also reminded everyone of the need to convert Canadian funds to US funds. He asked that when project sponsors in Canada submit specification sheets, they need to provide cost estimates in US currency. He noted that the cost in US funds of the recently approved Shingle Creek Pool Creation and Fish Passage Improvement Project was \$11,800.77 (\$14,840.00 in Canadian funds).
 - III. **Approve July Meeting Notes** – July meeting minutes were approved via email prior to the meeting today.
 - A. **Review Action Items from July Meeting**
 - Barkley Irrigation Company Permanent Point of Diversion – Wilson Property Options Discussion, Yeager will communicate the Habitat Subcommittee's decision and recommendations. **Completed**
 - Anderson Acquisition – UBC Batie Habitat Project, Duvall will complete the contracting process once the May Habitat Subcommittee minutes have been approved. **Completed**
 - IV. **Administration**
 - A. **Habitat and NNI Funds Report Q1/Q2** – Dave Duvall shared that an in-depth review of all accounts took place over the last few months and the Q2 report is up to date. Dave reported that the unencumbered balance for the No Net Impact (NNI) Fund (601) is \$4,699,058, the unencumbered balance for the Habitat Supplemental Fund (602) is \$5,813,977, and the unencumbered balance for the Habitat Fund (603) is \$1,315,104. In total, the unencumbered balance is \$11,828,139. Dave said that going forward there will be a quarterly review to keep the reports fully updated.
 - B. **Review Habitat Plan** – Tracy Hillman said that in preparation to facilitate the HabSC, he reviewed the Settlement Agreement and the Habitat Plan. The latter was prepared by the HabSC as a requirement of the Settlement Agreement. Tracy walked the HabSC through the Habitat Plan and asked for clarification on the following items:
 - *Section 2.1: The PRCC, HabSC, and Grant PUD agree that Habitat Account funds (up to \$2.5 million) will be used to collect the data required to establish a framework to assess and prioritize tributary enhancement projects. The objective is to collect data that will provide a sound biological basis for the development and prioritization of mitigation projects in the tributaries.* Tracy asked if some or all of these funds have been spent. Members indicated that some money has been spent on assessments and monitoring, but the amount is unknown.
 - *Section 2.2: For regional coordination purposes, the PRCC and PRCC Habitat Subcommittee have invited Chelan and Douglas Public Utility Districts to participate as non-voting members. The Wanapum participates in all meetings according to their discretion.* Tracy indicated that he added Tom Kahler (Douglas PUD) and Catherine Willard (Chelan PUD) to the distribution list. He said both Tom and Catherine thanked him for adding them to the distribution list and noted that they would participate when agenda items involved the need for coordination.
 - *Section 2.3: To move forward in our salmon recovery efforts, there is a need to integrate efforts related to the planning and implementation of hatchery and habitat actions in the*

Upper Columbia. Tracy asked if integration and coordination has occurred in the past. Members indicated that it has not occurred in the recent past and recommended that it should occur on an as needed basis. Tracy said because he facilitates both meetings, he would identify when coordination is necessary.

- *Section 4.0: All proposals are reviewed for feasibility, technical, and biological merit.* Tracy asked if the HabSC has specific criteria that are used to evaluate the feasibility, technical, and biological merit of proposals. Members indicated that they do not have specific criteria for these indicators.
- *Section 4.1: The geographic boundary for submitted project proposals are those located in the Mainstem Columbia or tributaries within the upper Columbia River watershed. The primary focus of using Habitat Account funds will be on projects in the Okanogan, Methow, Entiat, and Wenatchee watersheds, yet projects in smaller tributaries to the Columbia River will be considered. Projects located in the Okanogan River in British Columbia are eligible for funding.* For clarification, Tracy asked if this means only proposed projects located upstream from Priest Rapids Dam but downstream from Chief Joseph Dam are eligible. Members agreed that proposed projects upstream from Priest Rapids Dam are eligible; it is not clear if proposed projects upstream from Chief Joseph Dam are ineligible. The HabSC would like to discuss the upstream boundary of eligible projects.
- *Section 4.9: Unless otherwise specified, all funded projects must be completed within five years of the date of the HFA.* Tracy asked whether project sponsors can request time extensions beyond the five-year period. Members said they have approved time extensions depending on circumstances.
- *Section 4.10: The PRCC, PRCC Habitat Subcommittee, or a designated representative, may perform periodic site visits to evaluate project progress.* Tracy said it would be good to coordinate these visits with the HCP Tributary Committees. He hopes to schedule visits after the COVID-19 pandemic.
- *Section 5.1: The PRCC and PRCC Habitat Subcommittee, comprised of representatives of NMFS, USFWS, WDFW, Confederated Tribes of the Colville Reservation, Yakama Nation, Confederated Tribes of the Umatilla Reservation, and Grant PUD, meets on a monthly basis.* Because the HabSC shall act by unanimous vote (see Section 5.4), Tracy asked if he needs to secure votes from Carl Merkle (Umatilla), who, as Tracy understands, rarely attends HabSC meetings. Members indicated that decisions (especially time-sensitive decisions) should not be held up by members who do not attend meetings. Tracy noted that the Priest Rapids Fish Forum has specific language regarding inactivity of members and their influence on decision making. Perhaps Denny Rohr and Dave Duvall could add similar language to the HabSC Operating Procedures they are currently drafting.
- *Section 5.5: After full written disclosure of any potential conflict of interest, which shall appear in the minutes of the PRCC and/or PRCC Habitat Subcommittee and prior to project approval, a project that may benefit a person or entity related to a specific PRCC and/or PRCC Habitat Subcommittee, or an entity which appointed the PRCC and/or PRCC Habitat Subcommittee member, may be approved.* Tracy noted that this language is similar to the HCPs; however, the HCPs include additional language regarding abstention and recusal. He asked if this language should be added to the HabSC Operating Procedures. Members indicated that additional clarity should be added to the Operating Procedures, which are currently being drafted by Denny and Dave.

Following review of the Habitat Plan, Tracy asked whether it would be more appropriate for him to send an official letter to project sponsors rather than the liaison contacting the sponsor. Currently, liaisons are responsible for notifying project sponsors on funding decision and responses are usually verbal or captured in emails. This does not allow the HabSC to keep an official record of responses to project sponsors. Members indicated that they favor using a letter from Tracy to

project sponsors as an official record of correspondence. In the interest of time, the liaison will still inform the project sponsor of funding decisions and let them know they will receive an official letter from Tracy. Dave said he will provide Tracy with the PRCC HabSC logo, which will be used as the official letterhead for the HabSC.

V. Project Updates

- A. **McIntyre Dam – Fish Jumping Efficiency Project** – No update.
- B. **Shuttleworth Creek Project** – No update.
- C. **Lower Wenatchee Instream Flow Enhancement Project, Phase II** – No update. Kate Terrell noted that the sponsor (Trout Unlimited) is waiting on the final review of their irrigation efficiency application.
- D. **Barkley Irrigation Funding Activities Project** – Justin Yeager shared that the sponsor is working on their punch list. Kate noted that they are working on individual wells. They are looking to start construction in late September or early October.
- E. **Wilson Property Options Project** – Justin Yeager reported that Trout Unlimited is seeking additional funding before they sign an agreement with the Methow Salmon Recovery Foundation.
- F. **Skaha Dam Fish Passage Project** – No update.
- G. **Weyco Mill Creek Land Acquisition Project** – Jeremy Cram shared that an offer was made by a couple from Seattle. Kate said she read in a newspaper that the parcel was purchased by someone. Kate added that she will send the article to members and Jeremy will request an update from Mickey Fleming.
- H. **Icicle-Peshastin Irrigation Fish Screen Project** – Jeremy Cram reported that the sponsor will start building this fall even though they are short on funds.
- I. **Final Construction for Floodplain Re-engagement – Pentiction Channel Culvert Project** – Chris Fisher reported that this project is an off-channel project, and it may have recently been completed. Sampling was scheduled to begin in June. Chris will request the sampling data from the sponsor and forward them to the HabSC.
- J. **Assessment of Sediment Chemistry behind Enloe Dam on the Similkameen River Project** – Chris Fisher stated this project was completed in 2019 and the analysis took longer than expected because of Covid-19 restrictions. Although 12 core samples were collected, results are from analyses of 6 cores due to lack of funding. One sample had extremely high levels of copper and arsenic. The sponsor is discussing the results with Ecology and USGS and the need to do additional sampling and testing. Ecology is waiting on the draft report from USGS.
- K. **Ben Canyon Creek Fish Passage Project** – Kate Terrell reported that design work by Forsgren Engineering, USFWS, USFS, CCT and TU was completed to 95% in March 2021. Only three bids for bridge acquisition and construction were received: \$431,000, \$514,000, and \$609,000. The lowest bid was over double the engineer's estimate of \$190,000. After a careful line-item review of each bid, a decision was made among the partners to not award the project at this time because of insufficient funds. There is little room in the design for revision to bring down costs without completely starting over with the USFS Design Review Team and Engineering Program review process. This would then increase design costs and also eat into construction funds. The project will be re-bid in winter 2021 with the hope that prices stabilize or decline, that more competitive bids are received, and/or that additional funds might be secured to cover the shortfall. If rebidding the project does not result in a buildable structure that is within budget, the remaining funds will be canceled and de-obligated.
- L. **Cascade Orchards Icicle Creek Flow Restoration Project** – Justin Yeager reported that the sponsor will request bids in January 2022.
- M. **Minnow Creek Fish Passage Restoration Project** – Kate Terrell reported that this project was completed at the end of July. Cascade Fisheries will provide a final report in a few months.

- N. **Anderson Acquisition – UBC Batie Habitat Project** – Dave Duvall reported that the contract was signed last month. No invoices have been received on this project.
- O. **ORRI – Restoration of the Channelized VDS Section in Okanagan Falls Project** – Chris Fisher reported that the sponsor is scheduled to begin work next week. Chris will reach out to the sponsor to find out about their timeline. Dave said he was contacted by the sponsor and Dave will discuss the work with Chris.

VI. **Restoration/Protection Projects**

- A. **Jawa Property Acquisition Proposal from CDLT** – Chris Fisher reported that this acquisition project was originally the Toole and Mardini property. Chris reminded everyone that the Subcommittee purchased the Toole property, but not the Mardini property, which was later purchased by Mr. Jawa, who was going through a legal process to gain access through CDLT land. Mickey Fleming (CDLT) was concerned that Mr. Jawa wanted to build a retreat on the property. Thus, Mickey reached out to Mr. Jawa to see if he wanted to sell the property or do a land exchange. The option to purchase the property was discussed and an appraisal was completed. The appraised value of the property is \$147,600. Mickey indicated to Chris that Mr. Jawa is not planning to move forward with obtaining legal access and will not list the property for sale while he entertains the offer from CDLT. Mickey also indicated to Chris that they (CDLT) would need about two-thirds the purchase price from the Subcommittee (the other third will come from the Salmon Recovery Funding Board). Thus, the requested amount to the Subcommittee would be not to exceed \$98,400. Members approved the funding up to \$98,400 for the project; however, there was concern about the high cost of the property. Chris will share the email he received from Mickey with the HabSC.

Decision: The PRCC Habitat Subcommittee approved funding of up to \$98,400 for the Jawa Property Acquisition Project.

VII. **Adjourn** – Tracy thanked everyone for attending the meeting and adjourned the meeting at 3:00 p.m.

VIII. **Next Meeting:** 9 September 2021