

1 FEDERAL ENERGY REGULATORY COMMISSION
2 PUBLIC COMMENT MEETING
3 FOR DORENA LAKE DAM PROJECT
4
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6 Docket No. 11945-001
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8 The Public Comment Meeting was taken
9 before Jea H. Oh, a Professional Shorthand Reporter,
10 and a Notary Public for the State of Oregon, on May
11 5, 2005, commencing at the hour of 2:00 p.m., the
12 proceedings being reported at Lane Community College,
13 Building 17, Room 308, 4000 East 30th Avenue, Eugene,
14 Oregon.
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1 APPEARANCES

2 DIANNE RODMAN - Federal Regulatory Commission

3 EDWARD PEREZ - Federal Regulatory Commission

4 PAT WESLOWSKI - Federal Regulatory Commission

5 VINCE LAMARRA - Symbiotics, LLC

6 KEITH LAWRENCE - Ecosystems Research Institute

7 DANI FRISBIE - Ecosystems Research Institute

8 MARCELL LYND - Ecosystems Research Institute

9 ERIC GINNEY - Ecosystems Research Institute

10 ERIK STEIMLE - Ecosystems Research Institute

11 RONALD KOHASEK - Oregon Water Resources Department

12 MARY GRAINEY - Oregon Water Resources Department

13 MICHAEL MATTICK - Oregon Water Resources Department

14 DAVE SCHLEVINGER - Oregon Water Resources Department

15 DAVID SCHROEDER - Bureau of Land Management

16 WAYNE ELLIOT - Bureau of Land Management

17 STEPHANIE BURCHFIELD - National Marine Fisheries Service

18 ROB BURNS - U.S. Fish & Wildlife Service

19 KEN HOMOLKA - Oregon Department of Fish and Wildlife

20 TIM FLOWERDAY - Cottage Grove Area Chamber of Commerce

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1 EUGENE, OREGON; THURSDAY, MAY 5, 2005

2 2:00 P.M.

3 PROCEEDINGS

4 MS. RODMAN: Let's get started. Good
5 afternoon. Welcome to the scoping of the license
6 application for the Dorena Lake Dam Hydroelectric
7 Project. Symbiotics has applied to construct,
8 operate, and maintain that project to the Federal
9 Energy Regulatory Commission, or FERC. For the sake
10 of the court reporter, I'm going to try and avoid
11 acronyms, but I think that'll work for about five
12 minutes, and I'll start talking the way I usually do.

13 I'm Dianne Rodman. I'm the FERC
14 coordinator for the licensing procedure for this
15 project. I'm a terrestrial biologist in the
16 Washington, D.C., office for our agency. We also
17 have Edward Perez, an inspector -- inspecting
18 engineer with our Portland regional office.

19 My agency is in contact with Louis Berger
20 Group to carry out environmental assessments for the
21 license application. And we have Pat Weslowski,
22 Berger's coordinator; Ken Hodge, engineering; Eric
23 Ginney doing geomorphology; Marcelle Lynd who is
24 doing fisheries; and Dani Frisbie, who is doing water
25 quality. Is there anybody -- Did I miss somebody

1 from Louis Berger? No? Good. All right.

2 Also, we have representatives of the
3 Applicant, Symbiotics. We have Dr. Vince Lamarra,
4 head of research; we have Keith Lawrence; we have
5 Erik Steimle.

6 And last, but certainly not least, this is
7 Jea, who's our court reporter, and she will improve
8 us when we don't identify ourselves, or speak loudly
9 enough, or something like that. Okay. Let's go on
10 to -- yeah.

11 All right. I'm going to go to the purpose
12 of scoping, but I'm going to keep it very brief
13 because the scoping document which you all should
14 have has a very good and very detailed discussion of
15 why one scopes a proposal of this sort.

16 One of the things that we hope to do is get
17 a feel for what are the big problems and what are the
18 little problems so that we can reflect that in the
19 environmental assessments that's prepared. Another
20 is that when you're out on the site, it still amazes
21 me, we learn some problems that the local residents
22 will tell us about that nobody knew about, so it's
23 good to go out to the area where the project is
24 located and talk to those people. We did go out this
25 morning up to Dorena Lake, looked at where the

1 powerhouse and so forth would be, met with a few of
2 the agencies, and enjoyed ourselves. It was a pretty
3 day, kind of rainy.

4 Okay. Where are we. We are preparing the
5 environmental assessments under the National
6 Environmental Policy Act to help the decisionmakers
7 from my agency decide whether to grant or deny the
8 license, and if to grant it, what conditions should
9 be placed on it.

10 Okay. Request for information. You can
11 pretty well read that there. The things that we
12 would really be interested in are those studies that
13 are highly science factual that Symbiotics didn't
14 know about that maybe the other agencies knew. So if
15 you have any information pertinent to that reservoir,
16 or that river, or those considered as fish, please
17 let us know.

18 The other thing, it's a personal bugaboo of
19 mine, is that people will frequently say, "You didn't
20 do a good enough job on cumulative impacts," and we
21 need -- so we need to know what else is going on in
22 the watershed. It's not fair to tell us we didn't do
23 a good job if there's a shopping mall being built
24 upstream that nobody told us about, and definitely
25 any kind of construction would add to that.

1 Okay. You can speak today or if you don't
2 feel that you've got your thoughts sufficiently in
3 order, you can give us written comments which can be
4 mailed to the commissioner and added to the public
5 record on the project. Our agency has a very nice
6 website that has all the correspondence, both
7 incoming and outgoing, about this project. To get to
8 it, you would use the project number which is
9 P-11945 -- 11945 in the part of our website which is
10 called e-Library, and FERC's website is www.ferc.gov.
11 If you have problems dealing with it, because many
12 people do, give me a call, my phone number is in the
13 scoping document, and I'll be glad to walk you
14 through it. It's not completely user friendly yet.

15 All right. Now we'd like the Symbiotics
16 people to discuss the next few items. Because this
17 is their project, they know it best. So could you go
18 through the description of the project facilities,
19 project operations, and your proposed environmental
20 measures? And we talked about having to do the
21 statutory -- it has to be in there.

22 If people have questions, would you please
23 hold them to the end until we finish our little
24 presentation? We don't want to get bogged down in
25 what's happening to the trout and never get to any

1 other resource. So make note of your questions, and
2 we'll answer questions -- we and Symbiotics will
3 answer questions to them all. Okay.

4 DR. LAMARRA: Dr. Vince Lamarra, I'm the
5 project manager. In essence, what Symbiotics is
6 proposing is to retrofit an existing reservoir, the
7 Dorena Dam currently owned by the Army Corps of
8 Engineers, with a hydroelectric project. The project
9 will -- in the north abutment, will essentially drill
10 a hole through the dam. That hole will contain a
11 9-foot diameter steel penstock. The steel penstock
12 will go through the dam and stick into the reservoir
13 approximately 100 feet. It will be fitted at the
14 upstream end with fish screens. Our current proposal
15 is for half-inch fish screens.

16 On the downstream end, there will be a
17 steel-wire penstock approximately 250 feet long that
18 will exit at the powerhouse that will be built
19 adjacent to the north retaining wall on the
20 downstream edge. There will be an excavated tailrace
21 that will enter the Row River immediately downstream
22 from the current concrete abutments. The project
23 will run in a flow range between 260 cubic feet per
24 second and 812 cubic feet per second. Flows above
25 800 cfs will exit the reservoir through the existing

1 gates. If the flows leaving the reservoir are less
2 than 260 cfs, the project will not run. So there's a
3 window of opportunity for the project to use the
4 flows existing in the river.

5 In addition, there will be a valve house
6 that will sit at the -- right at the edge of the base
7 of the dam to be seen in the photo in front of the
8 room. That valve house will essentially be at the
9 apex of the penstock, and we'll be able to control,
10 partially, flows.

11 In addition, there will be a transmission
12 line that will go from the powerhouse location. It
13 will go up the embankment, cross over the current
14 trail, and interconnect with an existing facility, an
15 existing transmission line, at the top of the bluff,
16 and that can also be seen at the more than -- or on
17 the photo immediately above.

18 In terms of operations of the facility, the
19 project will be run-of-the-river mode. Those flows
20 will be determined by the Army Corps of Engineers.
21 Our hydrologic analysis has used the existing flows
22 at the facility, and we will not change those flow
23 requirements; they will essentially be as directed by
24 the Corps of Engineers.

25 Our annual average production has been

1 calculated to be 17.5 gigawatt hours annually, and
2 that will be through two separate turbines that will
3 not run simultaneously. The two turbines will
4 capture the flows based on different hydrologic head
5 and outflow of volume. And that's pretty much the
6 extent of the project facilities and the operation of
7 the facilities.

8 I should note that we are also proposing a
9 screen at the -- that will -- that will go across the
10 tailrace prior to its entrance into the river and
11 will protect upstream migrating fish from entering
12 the tailrace. But Keith will discuss that as part of
13 our fisheries mitigation packages. I will turn over
14 the terrestrial portion of our mitigation -- Is that
15 acceptable, Dianne? -- to Erik Steimle.

16 MR. STEINBERG: My name is Erik Steimle.
17 I'm a field biologist for the Ecosystems Research
18 Institute. Just to start off, after the license is
19 implemented, if the FERC license is issued, there
20 will be a much more complete soil and erosion control
21 plan. We've addressed some of the comments that come
22 from agencies, and as part of that, have been looking
23 at the construction schedule that would take place
24 during the winter months when the back portion of the
25 dam there is actually out of water.

1 Water quality. Based on comments from
2 DEQ -- or least from DEQ, and, I believe, Water
3 Resources as well, we've done a mercury study that
4 Keith has headed up. And you want to talk a little
5 more about that?

6 MR. LAWRENCE: Yeah. I think I might as
7 well. Oh, sorry. My name is Keith Lawrence, and I'm
8 a fish biologist for Ecosystems Research Institute.

9 Earlier last year, we implemented a study
10 to begin to look at levels of mercury in the
11 sediments and in some of the -- of the whole plan
12 within the project area. There's been a fair amount
13 of what are called the day-to-day maneuver parameters
14 in mercury that's been collected by DEQ for a number
15 of years that is generally part of our Willamette
16 Basin mercury study, so to speak. And so this is
17 just meant for a supplement; that is, a specific area
18 of concern.

19 We looked at sediment in the class
20 of zooplankton samples in the reservoir and also
21 collected some bass (there's a significant bass
22 population in the reservoir). Those were collected
23 in -- actually, in early summer of last year and
24 analyzed. The bass came in somewhat high in mercury.
25 That's only been the case in the bass. The sediment

1 and zooplankton samples were relatively low. We also
2 looked at the sediment in some of the pools in the
3 river within a mile downstream of the dam. We
4 collected benthic invertebrate samples, and we also
5 collected some samples of rainbow trout, older fish
6 that are in the river, and those were all relatively
7 low. So, basically, what our studies confirm is that
8 the levels of mercury are high in the fishes, the
9 game fishes that occur, but relatively low in other
10 parameters downstream.

11 That's just the first turn at it, and we
12 are going to have written into the license to agree
13 to at least two more times seasonally, in the spring
14 and in the fall most likely, to resample for mercury
15 concentrations. Basically, it causes the potential
16 that the estimated area that the penstock and the
17 screen -- the succeeding intake screen to the rest of
18 the reservoir, there will be some disturbance to the
19 bottom sediments where mercury contamination could be
20 initially, and so, potentially, the project could
21 increase export of mercury leaks downstream into the
22 reservoir and possibly could shoot it into the river.
23 And so that's the reason for doing these studies, and
24 that's how most of these studies go.

25 DR. LAMARRA: Dr. Lamarra again. We also

1 have been looking at historical data. We found that
2 there appears to be a total gas pressure TGP problem
3 below Dorena Reservoir based on the configuration of
4 the existing gates, and so we conducted a number of
5 studies using what's -- it's -- the brand name is
6 Common Sensing. We put instantaneous measuring
7 devices in the river which measure the total gas
8 pressure. We did two or three different studies at
9 the local Dorena Dam over a multiple-day time period
10 at time intervals of, I think, like 15-minute steps,
11 time steps, and what we essentially found is that as
12 flows ramp up and come down, the total gas pressure
13 in the river also changes.

14 So our data will simply go back to the
15 non-background conditions, which we successfully did,
16 and it appears, at least in the limited amount of
17 information that we have, the degree of
18 supersaturation is dependent upon the volume of water
19 leaving the reservoir. In addition, how far
20 downstream that it extends, that boat of gas and
21 water, before it degasses and comes back at
22 atmospheric saturation is dependent upon, again, the
23 volume of water.

24 We went downriver into the grass end as it
25 moved downriver, and we found that boat to extend

1 further downriver the higher it flowed into the
2 reservoir. So part of our -- part of the project, we
3 believe, based on the configuration of the tailrace
4 and the fact that hydroelectric turbines essentially
5 take velocity out of the water and convert it into
6 electricity, we'll be going from 12 to 14 feet per
7 second down to 5 to 7 feet per second of velocity
8 through the river. 12 to 14 feet per second is what
9 we see now.

10 And the gates out of our tailrace will be a
11 lot less than that; it has a lot of turbulence. We
12 anticipate actually seeing a drop in the total gas
13 pressure to mostly a hundred percent of saturation,
14 whereas it's much higher than that right now. The
15 state criteria, if I'm not mistaken, is 110 percent,
16 and we're above that. The -- "We" are not. The
17 project as it's currently configured is above that.

18 MR. LAWRENCE: Okay. Let's take a look at
19 that. That looks like what the standards are. Well,
20 it is mentioned, one of the concerns of the resource
21 agencies, ODFW and NOAA Fisheries primarily, but Fish
22 and Wildlife Services as well, is the potential for
23 upstream migrating salmonids of which there are
24 several in the basin; there are rainbow trout, there
25 are cutthroat trout there as well, there are

1 steelhead off the Willamette, winter steelhead west
2 of the Row, there are an abundance in the project
3 area that's not clearly understood, there's also
4 summer steelhead, there may be spring Chinook in the
5 basin as well that are protected. And so, basically,
6 their request was that a screen be constructed
7 downstream of the powerhouse and within the tailrace
8 basin itself to reduce intrusion of fishes,
9 specifically these adult fishes, from getting into
10 the area that's meeting below the powerhouse
11 sidewall, and so Symbiotics has proposed to
12 install -- or initially they proposed to install a
13 one-and-a-quarter-inch space screen to prevent those
14 adult fishes from getting in. The agencies requested
15 that that be reduced to an inch, which Symbiotics has
16 agreed to do, and now the primary issues surrounding
17 this mitigation is loss of these across the screen
18 and how they relate to potential false attraction to
19 these fishes.

20 The calculated maximum -- or maybe the
21 mean, I guess. The mean maximum velocities across
22 the screen as occurs into the plant's operating
23 mix-masters is about 800cfs, and flows in the river
24 somewhere about that. So those kind of come together
25 to produce the maximum velocity across the screen at

1 about 2 and a half feet per second, and the accepted
2 standard in terms of another statement is a mean of a
3 foot per second across the screen and a maximum of
4 more than a quarter. So that may be a continuing
5 concern to the agencies at this time.

6 So are there any -- anyone want to hear
7 anything else about those issues? So that's kind of
8 where we stand. The design of that screen has not
9 been -- it has not been finalized at this time. One
10 of the issues we're going to have is in order to meet
11 that one-foot-per-second criteria, if that's what the
12 agencies want to do, then we will essentially have to
13 double the size of the tailrace space, which I'm not
14 sure how wide it is now, it's about 40 feet. But it
15 will have to be doubled, essentially, in order to
16 meet that. So that will be a consideration there
17 amongst other things.

18 And this is under aquatic resources. That
19 is basically a water quality issue that's up there
20 right now, and we want to move on to that. I think
21 you're talking about -- okay. Since they've already
22 stated, and some of you may have heard earlier today,
23 the depth of the proposed intake screen and
24 everything associated with that is going to be at the
25 same depth as the current Corps outlet structure that

1 occurs, and therefore there won't be any change in
2 the water quality, the oxygen, temperature, things of
3 importance like that, beyond what the existing
4 conditions currently are, so that was the reason for
5 doing that.

6 Let's see. Vince already talked about
7 exposure to entrained water into the air and reducing
8 the total gas dissolved problem. I think that we're
9 presenting -- one of the concerns of the agencies is
10 the sediment arising from the project construction
11 activities and whether these can get into the Row
12 River and disrupt that river production into the
13 bottom river sediments. So one of the things that we
14 are doing, started last year, was at several
15 locations below the dam -- the first is immediately
16 below the dam a few hundred yards, another about a
17 mile downstream which is basically within what ODFW
18 refers to as the potential impact zone, and then
19 there's another section about four miles downstream
20 of the dam which would be considered outside the
21 impact zone. And what we do is collect benthic
22 invertebrates and look at the condition of the
23 substratum to get an idea of what existing
24 conditions are prior to construction or operation of
25 the project. We do that seasonally because these

1 things can vary seasonally. We look for rudimentary
2 things like density, richness of invertebrates, the
3 composition of invertebrates. Some invertebrates are
4 the more susceptible to sediment related impacts than
5 others are, so they would be examined a little more
6 closely.

7 We did that last year, and this year we'll
8 be doing another three sets; there's one in the
9 spring, one in the summer, one in the fall. So we
10 have two more left, and that will complete what the
11 agencies have requested, and we will analyze that
12 data and submit those as a report as part of the
13 scoping documents. And that report will be completed
14 sometime within the next year.

15 Ramping rate. Ramping rate will remain
16 what it currently is under system core conditions,
17 which is 100 cfs, cubic feet per second, where we're
18 at now. So that would make another facet of the
19 operation that will remain unchanged under the
20 project upgrade scenario.

21 Conducting fishery surveys. I've already
22 discussed we've determined the presence, abundance,
23 and distribution of rainbows, steelhead, spring
24 Chinook related to the sediment coming off the
25 project -- or potential sediment coming off the

1 project area. There was concerns by the agencies
2 that maybe this will affect spawning of salmonids
3 within the project. What would that do? There isn't
4 a whole lot of data, you need to keep in mind, in
5 this project that are immediately below the dam or in
6 the reservoir. There's not a whole lot that's
7 understood in the environment in the Division of Fish
8 and Wildlife, so they're curious, too, about what's
9 in there.

10 And so the initial approach was to go in
11 and say, "Well, if spawning occurs in the project
12 area, where does it occur?" So last year we went out
13 in spring and rainbow and to see how they were
14 spawning, and to see if we could count reds. As you
15 can tell, many of you were out on the project site
16 today, it's pretty turbid, you can't see more than
17 the -- much in the water. It's like that most of the
18 time; it's worse a fair amount of time. So basically
19 using visual means to assess spawning like how many
20 reds of these were on the site.

21 So our next approach was to see where it is
22 the one substraight is going which would be
23 potentially used by the species, and it turns out
24 those occur primarily just upstream of the Row River
25 Bridge, which is a mile downstream of the project.

1 There are some incidences that's there where it's
2 normally gravel that we've seen trout on. So once we
3 identified that spot, our next approach is to say,
4 well, we'll do more intensive investigation of what
5 the existing substraight conditions are there, and we
6 will continue to evaluate that throughout
7 construction of the project. But the agencies were
8 also interested in -- they said, "Well, let's take a
9 look at it. What fishes are there?" If the
10 salmonids are there, how they're distributed, so we
11 can get some idea of how we can monitor it.

12 Their group recommendation is that we use
13 snorkel surveys. But for the same reason, water
14 clarity issues, we can't use snorkel operations to do
15 that, and so the recommendation from Symbiotics was
16 to use a combination of electric and screen to
17 collect these fishes. We began a process of doing
18 that. And one of the remaining issues is the
19 feasibility of using genetic analysis to determine
20 what these fish are, and that's all we can tell. The
21 rainbow from the steelhead, different kinds of
22 steelhead, there's some, I guess, uncertainty about
23 just how far genetic analysis will allow you to
24 identify these fish, so we're in communications with
25 the fish biologist to see just how far we can take

1 that. He will retain samples from his collections,
2 of which several more occurs a year, to determine if
3 we can tell what those fish are so that the agencies
4 will have some idea of what's in the project area.

5 MR. STEIMLE: All right. Back to
6 terrestrial resources. Erik Steimle again. First
7 off, the list that we are going to go through is a
8 list of recommendations we come up with based on a
9 combination of both field work and background
10 research which we initiated in late winter of 2002,
11 field work based on what we found started in Spring
12 of 2003, and all other terrestrial surveys were
13 completed by the fall of 2003. Those were primarily
14 amphibian surveys and vegetation surveys for the
15 presence of T&E species and just background
16 information.

17 Vegetation will be disturbed both by
18 displacement of soil from the powerhouse, which is
19 approximately 5,000 square feet, and also the
20 associated powerline. So first off, completing
21 construction in a timely manner as a way to avoid
22 disruption of wildlife in the area. There are bald
23 eagles that have been known to use the area in the
24 past. However, actually, as of late, there hasn't
25 been any successful breeding pairs in the vicinity

1 where this project is.

2 Let's see. Construct new transmission
3 poles in accordance with guidelines provided in
4 "Suggested Practices for Raptor Safety on
5 Powerlines." We cite that report. It's available
6 online, it's with our other documents. Not leaving
7 open pits or trenches that can trap wildlife
8 overnight. Obviously, those would be -- the primary
9 concern would be at the powerhouse and also
10 associated with perhaps the staging areas and
11 sub-emission basins. And also working with ODFW
12 biologists throughout the construction regarding the
13 status of the bald eagle and spotted owl nests in the
14 project vicinity.

15 An extensive weed management plan, we
16 developed. In our final license application, there
17 is a pretty extensive list of noxious type plants
18 that was counted as listed, in addition to numerous
19 ones that were of concern during our vegetation
20 surveys which occurred in the spring, summer, and
21 fall of 2003. Limitations on construction traffic
22 associated with established roads, parking areas, and
23 establishing designated parking and walkway areas for
24 long-term access to the powerhouse would limit
25 vegetation disruption. Replacing all top soil

1 following construction, and reviewing and working
2 together to provide a fairly comprehensive
3 revegetation plan with the Corps and also other state
4 and federal agencies.

5 Use of appropriate native landscaping
6 around the powerhouse. Once again, you know, it will
7 be a much more comprehensive plan. Thus far we've
8 identified a lot of local species that have been used
9 in the veg. programs in this area, but, once again,
10 we'll be able to continue to work with those local
11 agencies defining where we're going to get those
12 plantings from and what would be the best design for
13 the area around the powerhouse and certain answers to
14 the power staging areas, including the plantings,
15 shrubs along the transmission corridor, just a
16 section on that previously. And a monitoring program
17 will be an ongoing program during the revegetation
18 efforts that will start when the phase of
19 construction is -- We will work to coincide with the
20 soil erosion control efforts, and monitoring will be
21 ongoing for a period of time after construction.

22 Land use and aesthetic resources. Once
23 again, these are what we've recommended based on a --
24 we did a visual resource study that was needed that
25 was requested by the agencies, and also was needed to

1 be done associated with cultural resource works; just
2 kind of an overlap there with visual aesthetics. The
3 powerhouse will be completed using a concrete color
4 blend that will match the color of the concrete used
5 on the dam.

6 And, in addition, the style of the
7 structure of the powerhouse will be -- has been found
8 by the SHPO office now as to not limit that dam in
9 being listed as a historic landmark, so that will be
10 completed that way as well. And, in addition, most
11 of the powerhouse, all that we referenced, will be
12 behind that concrete wall. However, the top portion
13 of the roof will be visible from the visitors
14 viewpoint area that's on the opposite side of the
15 river.

16 And determination of eligibility for Dorena
17 Dam, the first stage of a cultural resource survey
18 was completed by a local archeologist in Eugene. It
19 was completed in December of 2004, and at that time
20 SHPO determined that -- the secondary determination
21 was that it needed to be filed. And I believe Fred
22 Kramer (phonetic) is his name, he's an archeologist,
23 and actually he will be doing the survey in late
24 March of 2005 that has now been filed with FERC, and
25 it's open for comments -- actually the comment period

1 just closed for agencies, the Army Corps of Engineers
2 and SHPO, once again, about a week ago, and it was
3 concluded in that report that option we have here to
4 the eligibility, and that's sort of actually listed
5 as a historical place.

6 MS. WESLOWSKI: Dianne mentioned earlier
7 that the NEPA document will consider cumulative
8 effects through cumulative effects analysis. There
9 are two components to that; there's a geographic
10 scope to that analysis, and there's a temporal scope
11 to that analysis.

12 For the geographic scope, we identified two
13 resource areas that we believe have key effects to
14 water quality and fishes. For water quality, we're
15 looking at what's in the Coast Fork Willamette River
16 Subbasin from the upper reaches of Dorena Lake to the
17 downstream of the project releases. The fisheries,
18 we are looking at the same upper reach, but will go
19 downstream to the confluence of the Coast Fork
20 Willamette River in the Row River.

21 For temporal scope, for past, present, and
22 future actions, we'll be considering actions 30 to 50
23 years into the foreseeable future and the possible
24 effects on each of those resource areas.

25 Now I'd like the Berger team to go through

1 resource issues and briefly identify the issues that
2 would be currently covered in the NEPA document
3 subject to further comment from you and the folks
4 this evening.

5 We'll start with geology and soils.

6 MR. GINNEY: Yes. I think in geology and
7 soils we've identified some issues, and after we go
8 through the resource areas, we encourage you to help
9 us with anything you know of. Geology and soils,
10 we've identified potential effects of any disturbance
11 and/or release of sediment into the Row River in
12 construction of the powerhouse and lower penstock,
13 and also with particular focus on the outfall and
14 tailrace connection in the river. The potential
15 effects of any disturbance and/or release of sediment
16 into the waters of Dorena Lake during construction of
17 the upper penstock, the intake/trashracks where it's
18 the sediment, because all these proposed elevations
19 are below pool elevation. And a point that we
20 discussed -- or I will bring up for discussion that
21 is a little more recent, is the potential for slope
22 instability associated with Staging Area Number 2.

23 MS. FRISBIE: The water resource issues, we
24 know about the potential effects of project
25 operations on water temperature, dissolved oxygen

1 concentrations, and total dissolved gas in Dorena
2 Lake and Row river; we're looking at potential
3 effects of project construction and operation on
4 mercury levels in Dorena Lake and Row River; and then
5 operating -- the effects of those operations and
6 proposed environmental measures on compliance with
7 applicable state water quality standards in Dorena
8 Lake and Row River.

9 MS. LYND: In aquatic resources -- I think
10 I'm going back into my 13th document. The
11 effectiveness of exclusion screens to prevent fish
12 entrainment; potential effects of penstock
13 construction on mercury levels in the fishes and
14 benthic macroinvertebrates occurring in Dorena Lake
15 and the Row River; potential effects of project
16 construction-related sediment releases on trout
17 populations -- rainbow trout and spawning habitat in
18 the downstream reach; potential effects of project
19 construction-related sediment releases on benthic
20 macroinvertebrates in the downstream reach; potential
21 for the powerhouse tailrace to provide false
22 attraction flows for salmon and steelhead and the
23 effectiveness of tailrace barrier screen; and the
24 potential effects on fisheries of reduced total
25 dissolved gas downstream of the powerhouse tailrace

1 that could result from project operations.

2 MS. WESLOWSKI: Sue Davis is our terrestrial
3 ecologist on this project. She will be doing the
4 analysis on terrestrial resources, but I'm going to
5 ask Marcelle if she would cover those resources.

6 MS. LYND: Sure. For terrestrial resources,
7 we'll be looking at the effects of project
8 construction and operation on the establishment of
9 spread of noxious weeds and exotic plants that's of
10 concern around the project facilities; the effects of
11 removal and disturbance of vegetation due to project
12 construction on wildlife species; and the potential
13 effects of project construction and operations on
14 project area wildlife species given special status by
15 ODFW, including northwestern pond turtle, little
16 willow flycatcher, and yellow-breasted chat. What's
17 a yellow-breasted chat?

18 WOMAN: It's a bird.

19 MS. LYND: Thank you. You want me to go on?
20 Okay. Other T&E species we'll be looking at
21 potential effects from construction and operations is
22 the Upper Willamette River Chinook salmon, ESU, and
23 Upper Willamette River steelhead, and the effects of
24 this project construction and operation on the
25 federally threatened bald eagle and northern spotted

1 owl.

2 MS. WESLOWSKI: Okay. I failed to indicate
3 my impacts. Karen Poslovski (phonetic) will be doing
4 the analysis of the effects on recreational resources
5 and land use and aesthetics. Under the recreation
6 resources, we should know the potential effects of
7 the proposed action on recreational access to project
8 waters, existing recreational activities, and future
9 recreational activities within the project area, and
10 the ability of the existing recreational facilities
11 and opportunities to meet the current and future
12 recreational demand.

13 Under land use and aesthetics resources,
14 we'll look at the potential effects of the proposed
15 action and alternatives on the current and future
16 land uses in the project area, and the potential
17 effects of the proposed actions on the aesthetic
18 resources of the project area.

19 Under cultural resources that's here, that
20 would be considering the potential effects of the
21 project construction and operation on the
22 archeological and historic properties and sites of
23 concern to members of interested indian tribes.

24 MR. HODGE: Ken Hodge, I'm the engineer on
25 the project, and I'll be looking at the project

1 economics. To date, I believe Symbiotics has
2 identified costs associated with the intake and
3 tailrace screens. We will need to know if there are
4 other things that are proposed that can prolong the
5 study. As the plan develops, as far as the other
6 things, if the resource agencies propose alternative
7 measures for monitoring or other studies associated
8 with the project, we'd appreciate any input they
9 could provide on what those -- estimate what those
10 are going to cost so that will help us in preparing a
11 conservation project.

12 MS. WESLOWSKI: As far as scheduling for the
13 preparation of the environmental analysis --
14 environmental assessment, we are, at this moment,
15 requesting any information that you might like to
16 offer to this proceeding. Following the scoping
17 meetings, we may issue a Scoping Document 2 depending
18 on the nature of the comments that are received.
19 Following that, there will be a notice -- once we
20 have all the material we need to do our analysis, a
21 notice that the application is ready for
22 environmental analysis. We expect that to occur in
23 June 2005. We expect to have the environmental
24 assessment available for public review in December of
25 2005, and based on that, we would expect the

1 Commission to make a decision on the license
2 application subject to all the procedural
3 requirements in May of 2006. And today we are here
4 to receive comments on the application, so I guess at
5 this point, we're ready to open.

6 MS. RODMAN: Yes. Comments and -- I need
7 questions -- comments and questions. Okay. We do
8 have some people who want to speak. Tim Flowerday?

9 MR. FLOWERDAY: My name is Tim Flowerday. I
10 am from -- I'm the director from the Cottage Grove
11 Chamber of Commerce.

12 And I have some questions and some
13 concerns, and I guess the first question is about the
14 process and how much public involvement in the
15 process there is because I just found out about this
16 meeting a half hour ago, and our city manager did not
17 know about the meeting either. He's going to try and
18 come this evening. But I guess I have great concern
19 with that because, you know, you're talking a great
20 deal about impact on species and environment, but you
21 have a community of people involved, too, and they
22 need to be involved in the process. And Cottage
23 Grove needs to be involved because their water is
24 from the Row River, and this is significant to us,
25 and it should --

1 I guess I feel somewhat jilted or jaded
2 because we weren't notified -- that the city wasn't
3 notified directly that this process was happening,
4 and I see the application was made in 2004, and we're
5 now just finding out about it in the City of Cottage
6 Grove. The other -- I guess my other concern is --

7 MS. RODMAN: I have a question for you.

8 MR. FLOWERDAY: Sure.

9 MS. RODMAN: How did you find out?

10 MR. FLOWERDAY: I found out by a phone call
11 from a -- from the city manager who found out from a
12 phone call from a person that was a citizen in the
13 community that just happened to hear about it. And
14 we had -- we didn't know where the meeting was, and
15 we were told it was at Lane Community College, and I
16 had to call and find out where it was scheduled and
17 when it was scheduled.

18 MS. RODMAN: In fact, the meeting here is in
19 the -- I guess would be the public announcement
20 section of the newspaper.

21 MR. FLOWERDAY: Which newspaper?

22 MS. RODMAN: I'm afraid I don't know. I'll
23 have to check on that.

24 MR. FLOWERDAY: I guess this seems important
25 enough to me that at some point during the process it

1 would seem that -- and significant enough to the
2 community there that there should be a public hearing
3 like this in Cottage Grove. And I guess that's a
4 request on my part, and if that's at all possible, so
5 that there's -- you know, the community does feel
6 that there's inclusion in the process.

7 And I guess the city manager and I both
8 have concerns, and it sounds like you're willing to
9 try and address those, but this is something that
10 we'd like to be -- you know, why it's important in
11 terms of inclusion is the water quality because our
12 drinking water comes from this source. And then
13 there is recreation, because tourism is a significant
14 part of our economy in that market and Dorena Lake is
15 a significant factor in terms of that economy and
16 tourism.

17 MS. RODMAN: Okay. One thing I can do right
18 off the bat is take the names and addresses of
19 whoever you want on the mailing list on the project,
20 take those back to Washington, and put those all on
21 the computer. That's the first thing. The second
22 thing is that you have an opportunity to provide
23 written comments as kind of the second stage of the
24 scoping meeting. As I said, you can provide written
25 comments. May 16th I believe is the cutoff date, so

1 you can do that. The address is on the scoping
2 document. It's through the secretary of the
3 commission, and if you do it by paper, provide the
4 original mailed copies, or you can do it
5 electronically which makes it a lot easier.

6 After we issue the FERC meeting document,
7 we're ready for environmental analysis on those.
8 That will be subject to public notice and it will
9 appear in the public newspaper. It will also go out
10 to the mailing list, and that will then request
11 comments, recommendations, terms and conditions of
12 those agencies that have that authority. So those
13 are the two major windows.

14 After the EA comes out, we don't have an
15 exclusive comment period for after the EA, but that
16 does not mean that we would ignore comments. We
17 would ask, however, that you get them fairly soon.
18 We are looking at issuing the decision, whichever it
19 is, in May, but if you have a bone to pick with us
20 about our analysis or you feel something still has
21 not been addressed after the initial comments, go
22 ahead and write us.

23 And if you want to keep your fingers on the
24 pulse of what's happening on this project, you can go
25 to our website and sign up for e-Subscribe which is

1 an e-mail notification service. Every time something
2 comes into our files or reaches our agency, well, on
3 e-Subscribe you'll get a link to something that says
4 some packet, here's a link to it, and you click on
5 the hyperlink, and there's the document. So it may
6 have a lot of things you didn't care about, but that
7 way there's pieces of information that will, you
8 know, issue this.

9 So that's available, and for people who are
10 corresponding with the Commission either
11 electronically or on paper, I remind you that we need
12 the docket number, which is P, either upper case or
13 lower case, it doesn't matter, hyphen, 11945. That's
14 how we get the project to direct files and we will
15 get your correspondence to the people who need to see
16 it, and in the case of the computer, if you don't
17 have that number, you're not getting anywhere.

18 So there's a number of ways to find out
19 what's happening to get involved. And if you still
20 feel that that's not adequate, give me a call or send
21 me an e-mail, and I'll get it on the scoping
22 document. I can't talk to the cities directly. We
23 can't do that as a regulatory agency, but written
24 comments, either paper or electronically, are always
25 welcome.

1 MR. HODGE: I was wondering, is there a
2 primary newspaper that you would like us to contact?

3 MR. FLOWERDAY: You know, obviously, the
4 "Register Guard" is all over the county, but also
5 "Cottage Grove Sentinel", to start.

6 MS. RODMAN: We probably chose a larger
7 newspaper because I believe the criteria that they
8 use is a newspaper that's closest to the community
9 with lots of circulation and least -- whatever, so
10 that we have gone to some of the papers trying take a
11 look at those.

12 MR. FLOWERDAY: Okay.

13 MS. RODMAN: We just ask and see if we can
14 get into those newspapers. I don't know if you
15 can --

16 MR. FLOWERDAY: So the one question I think
17 wasn't really answered, and that is: Is there an
18 opportunity for public comment in Cottage Grove other
19 than today?

20 MS. RODMAN: Written comments, yes, till the
21 16th. And since -- beyond the scoping document, I
22 would think we've got a failure to communicate here,
23 maybe on that basis. That's one. When we're ready
24 for -- the environmental analysis document comes out,
25 that opens another comment period, and then after the

1 environmental assessment itself comes out, you can
2 comment on the environmental assessment. So there's
3 really three opportunities for you to comment.

4 And I would say that if somebody writes
5 outside that window, it would go in the record, we
6 will not trash it, and see if it is something that --
7 if the viewpoint has not been expressed before, we
8 will try very, very hard to include every viewpoint
9 no matter if it was outside the process. So there's
10 a lot of opportunities. This is -- this is only one
11 process.

12 MR. FLOWERDAY: Okay.

13 MS. RODMAN: Okay. And you probably haven't
14 had time to look at the scoping documents yet, but it
15 identifies --

16 MR. FLOWERDAY: I didn't have a chance to
17 look at any of it.

18 MS. GRAINEY: I'm Mary Graineey with the
19 Oregon Water Resources Department. And the Oregon
20 Water Resources Department coordinates with other
21 state agencies including our fish and wildlife folks
22 in the Department of Environmental Quality to provide
23 comments on FERC projects, and so we'll be providing
24 written comments next week in a formal format. But I
25 want to thank you folks for coming out today. The

1 state, we have a hydroelectric application review
2 team we refer to as HART, and that has a public
3 review process also associated with that, so I wanted
4 to make sure you get tied into that. But we'll be
5 having some public meetings in the next month or so
6 to move the project through the state licensing
7 process, so we want to key you into that.

8 So I have just a couple of comments today
9 and we'll follow it up with written comments. One of
10 the things that I'm -- that the Water Resources
11 Department is concerned about is the statement that
12 this is based on the plant operating in a
13 run-of-the-river mode, and we would suggest that a
14 more accurate characterization of this would be that
15 it's a release of stored water from a reservoir, and
16 that the conformance of that is actually rule curves
17 developed by the United States Army Corps of
18 Engineers. But we'd really like to see stated
19 clearly as what our rule curves is going to be
20 operating under and how is that contractual agreement
21 set out or realized for the project. One of the
22 things that I didn't hear today was anything about
23 monitoring inflows above the lake and outflows below
24 the lake in terms of how it's managed, so that's a
25 piece of information that I think needs to be added.

1 The water resources department in
2 conjunction with our commission has set up basin
3 plans for each river basin throughout the state, and
4 those basin plans define what is an allowed use of
5 water, and it happens that the basin plan for the
6 Coast Fork of the Willamette River for the
7 tributaries below the Cottage Grove Dam and the Row
8 River below Dorena Dam are classified for power use
9 only in the months of December 1 through April 30th.
10 And so if this project is going to operate more than
11 those five months of the year, we will have to take
12 that to our commission to get an exception to this
13 rule. And so we need to have that defined, is this
14 plan expected to operate 10 months of the year, or 12
15 months of the year, and we'll need Symbiotics to come
16 to the department and work with us on getting that
17 before the commission so that they can determine
18 whether they should accept this application as an
19 exception to the basin program.

20 And then the last comment I have for today
21 is the scope of the cumulative effects analysis on
22 the Willamette River, and our Oregon Law, ORS
23 543.255, requires that the project be evaluated for
24 the potential for cumulative impacts for those
25 proposed, approved, and existing projects in the same

1 river basin. And we notice that Symbiotics has
2 another proposed project on the Coast Fork of the
3 Willamette, and that is FERC Docket 12164.

4 MS. RODMAN: I believe -- is that for
5 preliminary permit or --

6 MS. WESLOWSKI: That's a preliminary permit
7 for that project.

8 MS. RODMAN: Right.

9 MS. GRAINEY: And there's another
10 preliminary permit on, I think, it's the Fall River,
11 a tributary to McKenzie River, tributary to the
12 Willamette, and that's Docket 12161. So I'm
13 wondering what -- what review you would do for the
14 impacts of that -- of those two projects, and the
15 other hydroelectric projects in the basin.

16 MS. RODMAN: Actually --

17 DR. LAMARRA: Neither one of those projects
18 are going forward.

19 MS. RODMAN: Okay. Usually, we don't
20 include preliminary permits in our cumulative impacts
21 analysis because it's very speculative. It's just
22 holding the site down for somebody to study to find
23 out if it's worthwhile to actually file a license
24 application with us. There's some sort of a
25 horrendous contrition rate like a 100 to 1 that will

1 actually come to an application, much less
2 constructing a project. So we issue lots of and lots
3 of preliminary permits. You see very few licensed
4 applications. So until we get a license application,
5 we do not take it seriously.

6 MS. GRAINEY: You mentioned that you'd be
7 interested in actually looking at the that for the
8 next 30- to 50-year period, so I'm not sure --

9 DR. LAMARRA: The preliminary -- just as a
10 point of clarification. The preliminary permit
11 process just allows the applicant an unencumbered
12 view of the project potential and to collect any
13 environmental data to prepare an application. In
14 that process, Symbiotics found that there are severe
15 environmental issues associated with the area. It
16 has an export of teeny fish, basically uses a
17 hatchery if you will, so for a project to proceed on
18 that particular site would be pretty encumbered
19 within the environments there. Cottage Grove doesn't
20 have much water. And so even though we applied for
21 those two, the cursory look at that them is
22 essentially they're not possible, and on the other
23 hand Dorena was favorable to the development.

24 So if they have not been withdrawn -- and I
25 thought that we had withdrawn those two permits.

1 That was my impression, that Symbiotics had withdrawn
2 those two applications. Now, somebody else could
3 turn around and file on those, so it would be a
4 separate developer, it could be anybody including,
5 just for power, if they so choose. Falls Creek, I
6 think, has some potential, to be honest, but I just
7 don't think the fight is there in Symbiotics to take
8 that on, especially when we do those fish runs.

9 MS. GRAINEY: That's all I have.

10 MS. RODMAN: Okay. Thank you. Okay. Rob
11 Burns.

12 MR. BURNS: I'm Rob Burns, U.S. Fish and
13 Wildlife Service out of the Roseburg field office.
14 I've not had an opportunity yet to read the final
15 license application or any of the subsequent
16 studies -- additional studies that were done by the
17 company. I've only recently been tasked with this
18 project, so I'll limit my comments to what I've read
19 in the scoping document itself.

20 First, I'd like -- I have a question,
21 though, and I think this is probably for Erik about
22 the terrestrial surveys.

23 MR. STEIMLE: Uh-huh.

24 MR. BURNS: You were talking about bald
25 eagles. You said that bald eagle used -- was

1 recorded in the area in the past, but they -- yes?

2 MR. STEIMLE: Yes. And, actually, the main
3 person in charge is our terrestrial biologist, her
4 name is Mary Lewis (phonetic), and she works, I
5 believe, with the Oregon National Heritage Program
6 and BLM in getting on paper where those sites were
7 and what their period of use have been over the past
8 ten years or so they were there. And, yes, I believe
9 it is -- all information is in the resource
10 monitoring of the plan in our license application.
11 But just to put it out there, I believe at one time,
12 there is -- there is a -- there is a use of bald
13 eagles in the Schultz Park (phonetic) area.

14 MR. BURNS: There is?

15 MR. STEIMLE: There is.

16 MR. BURNS: You'll need to go through a
17 fairly thorough effects examination and quite
18 possibly initiate a consultation with the Fish and
19 Wildlife Service.

20 MR. STEIMLE: And those --

21 MR. BURNS: That's spelled out --

22 MR. STEIMLE: That's spelled out, that's
23 true. And the same thing holds true for the western
24 pond turtle and, you know, the potential area use by
25 the spotted owl.

1 MR. BURNS: Effected use?

2 MR. STEIMLE: Yes, we did. We did
3 terrestrial surveys on the basin because there are
4 resources for the western pond turtle associated with
5 the -- kind of a side channel over there, on the
6 other side especially, and so we did a study that the
7 Corps also approved. We're looking at the potential
8 western pond turtle using the area such as the power
9 plant and some station areas right near the power
10 plant there, and those surveys were conducted, I
11 believe, on three or four separate occasions for
12 two-week periods in May, June, July, and, I believe,
13 August of 2003.

14 MR. BURNS: What about the spotted owl?

15 MR. STEIMLE: Based on the information that
16 we received from the -- I think, it's primarily -- I
17 think that it's ODFW or BLM, there was no
18 documentation of use in the area, and the habitat
19 area was deemed unsuitable, I believe.

20 MR. BURNS: So there's no suitable habitat
21 in the area?

22 MR. STEIMLE: Yes, that's correct.

23 MR. BURNS: Did you document that in the --

24 MR. STEIMLE: Yes. It's documented as a
25 sensitive area.

1 MR. BURNS: If I might, I'd like to just
2 quickly go through some of the comments in the
3 scoping document.

4 MS. RODMAN: Right. And, Rob, we are
5 prepared -- we will be making a determination on the
6 effect on -- our agency will be making a
7 determination of the effects of the project that
8 affects the Fish and Wildlife Service for
9 consultation.

10 MR. BURNS: I'm on Page 8 on the proposed
11 environmental measures. The water quality section
12 there, the first bullet discusses -- it says, "Repeat
13 mercury contamination sampling two times post-license
14 and prior to construction during separate years
15 during both spring and autumn." I have to admit, I'm
16 confused by that statement. I'm not sure if you're
17 proposing to do two years of studies after you get a
18 license, before you construct. Is that what that
19 means?

20 MR. LAWRENCE: That's right. That's what
21 the proposal is, is that -- so far there's been just,
22 basically, one comprehensive data set for more or
23 less at one point in time within the project vicinity
24 to look at what mercury levels are, although, there
25 are some other data for fishes in the Dorena, for

1 example, some historical data. But what Symbiotics
2 is proposing to do is prior to construction and
3 post-license, assuming a license is granted, of
4 course, that there be additional preconstruction data
5 relative to mercury within the project vicinity.

6 MR. BURNS: For two years?

7 MR. LAWRENCE: For two years, studying in
8 the spring and autumn in each one of those years will
9 be -- that's what the goal is. Getting certain
10 fishes according to the methods that we used this
11 past -- you know, this past year, would be a little
12 dicy. For example, we tried to angle for bass in the
13 reservoir because nobody wants us to use gill nets to
14 try and catch fish with, so you try to angle for
15 them. But when it's cold in the reservoir, those
16 fish aren't too interested in whatever you have --
17 you're presenting, so we may not be able to get
18 everything in a season, but we attempt to get them in
19 the process.

20 MR. STEIMLE: Some of the locals have a lot
21 better skills than we do with the bass,

22 MAN: You need to go to those schools for
23 that.

24 MS. RODMAN: Remember to identify yourself
25 for Jea.

1 MAN: I'm sorry.

2 MR. BURNS: The next comment I have is on
3 aquatic resources, the third bullet. It states that
4 you're going to consult with ODFW and NOAA Fisheries
5 in the design and operation of exclusion screens and
6 on the proposed powerhouse penstock intake. I'd like
7 to see some discussion of screen maintenance added
8 into this section; design, operation, and maintenance
9 of exclusion screens.

10 I think this next question is the bullet on
11 the bottom of the page. I think this might be for
12 Keith. "Conduct Benthic macroinvertebrate sampling
13 in March, July, and October during both pre- and post
14 construction." For how long?

15 MR. LAWRENCE: And I don't know. I don't
16 think it would be worth doing less than perhaps one
17 season since we've already acknowledged that two
18 seasons of data at a minimum is what we desire. And
19 so I don't know what's specified yet, but I know that
20 two years -- two consecutive years or maybe one year
21 off, one year on.

22 MR. BURNS: I think two years at a minimum,
23 but you don't say that here, identifying the timing.

24 MR. LAWRENCE: That should have been in
25 there, right. That should have been two years at a

1 minimum. The other agencies, if they want to see
2 more than that, it's not a big deal. Whatever they
3 want to see, basically. But only one year was
4 described in that. That's specified that it goes for
5 two years. There may be more than that, so we
6 don't --

7 MR. BURNS: On the next page, the bullet at
8 the top, "Provide a ramping rate of 100 cfs per half
9 hour." I have to admit I'm at a loss at trying to
10 convert that. I can use that if it's in inches per
11 hour. I can't really utilize that if it's in cfs per
12 half hour.

13 MR. LAWRENCE: I'm sorry. You're at?

14 MR. BURNS: The bullet at the top of Page 9.
15 We're talking about ramping rates, and you're in cfs
16 per half hour. And to me, I can use that and compare
17 that to other literature if it's identified as inches
18 per hour.

19 THE WITNESS: Oh, for the ramping stage?

20 MR. BURNS: Right. The ramping rate.

21 DR. LAMARRA: That's not our criteria.

22 Vince Lamarra. That's not our criteria. That's what
23 that is. The Corps has a criteria.

24 MR. BURNS: What does the Corps have in
25 inches per hour?

1 DR. LAMARRA: Unless the Corps gets on the
2 floor here.

3 MAN: It depends on what channel.

4 MR. BURNS: So the Corps established this as
5 a criterion for ramping rate?

6 MAN: That's a criteria for the project.

7 DR. LAMARRA: This is Vince Lamarra again.
8 I think the issue was raised on run-of-the-river and
9 this whole hydrology situation. I've had some
10 experience dealing with irrigation districts that
11 control federal facilities, and the releases, the
12 flood control rules. I'm -- I might be speaking out
13 of turn, but I do not believe that FERC is going to
14 step into that arena and talk about local water
15 rights or state water rights. Whatever they are,
16 they are, and all we're saying is that we will simply
17 use that water at the end of the -- at the end of the
18 tailrace.

19 And so we can provide the information
20 that's been requested, but there's no way that we are
21 going to enter into a discussion with the Corps of
22 Engineers or the water rights holders of that water
23 at the back of Dorena Reservoir. It's not our place
24 to do that.

25 MR. BURNS: I guess what I'm thinking is, is

1 it possible you could affect river aquatic habitat
2 through inadvertent ramping because of maintenance
3 problems?

4 DR. LAMARRA: I think that's a valid issue,
5 and the way to address that would be to look at the
6 engineering of the project and the transfer of flow
7 between your -- or through the Corps' gates and the
8 project. I think that is the a valid point, and I
9 would -- in talking with Fred Smith on the phone this
10 afternoon after our meeting, because that issue was
11 raised, his comment to me is that they will be doing
12 a timely interface as part of this project. So the
13 Corps, based on how they operate it now, it will be
14 in a timely interface with the gates on the power
15 plant, so that transfer is similar.

16 MS. GRAINEY: But you don't have a contract
17 with the Corps, then? There's no way --

18 DR. LAMARRA: No, no. We do not have a
19 contract with the Corps. And what that contract
20 would be, whether we push the button or they push the
21 button, I don't know that yet. But I can tell you
22 that those flood rules are not going to change
23 because our power plant's on that facility. Those
24 flood rules will not change.

25 MR. BURNS: I didn't understand that . I

1 didn't know that was the Corps' rate, and you're
2 actually just passing water through your facility.
3 So you wouldn't get the ramp from the outfall from
4 the Dorena into your facility, but there's still a
5 possibly of a ramp impact if something happened at
6 your facility.

7 DR. LAMARRA: That's right. And, in fact,
8 out in the far reservoir, FERC had stepped in and
9 said that, "You will not change the flow between
10 these two gates at any less of a rate than this," 50
11 cfs for 10 minutes or whatever it is, "going from one
12 location to the other."

13 MR. BURNS: That's not a ramping rate
14 number.

15 DR. LAMARRA: Okay. So it's not the number
16 you see in the river; it's the number of transfer
17 from Point A to --

18 MR. BURNS: Right.

19 DR. LAMARRA: Okay.

20 MR. BURNS: For me to be able to work with
21 it, I need inches per hour. That's all I needed in
22 terms of aquatics-wise.

23 DR. LAMARRA: Yeah. We can probably -- I
24 think that we can probably gin up some data. I know
25 the tailrace elevations, and I can probably --

1 WOMAN: Yeah, he's going to gin up some
2 numbers. (Laughter.)

3 DR. LAMARRA: No. What I meant was I was
4 going to transfer data from cfs to elevation. In the
5 data in the tailrace, is what I meant. I'm a bourbon
6 man, by the way, not gin.

7 MR. BURNS: On the next bullet you discuss
8 and say, "Conduct fishery surveys prior to
9 construction to determine the presence, abundance,
10 and distribution of age 0 rainbow trout, steelhead,
11 and spring Chinook." I'd like to add that Pacific
12 lamprey are also species of concern, and we'd like
13 information on the Pacific lamprey on the Row River
14 and possibly in the Dorena.

15 DR. LAMARRA: Did you check -- check the
16 waders? (Laughter.)

17 MR. BURNS: Also, I'm not sure if they go
18 here or under the T&E species section, but Oregon
19 chub are listed by the Fish and Wildlife Service.
20 They're listed as an endangered species. They are in
21 the Coast -- the Coast Fork Willamette Watershed.
22 They have -- ODFW has attempted to reintroduce them
23 at least on two separate occasions into the
24 stillwater habitats below Dorena, so -- and I'd like
25 to see some discussion of location, distribution, and

1 potential impacts to Oregon chub from the project.

2 MR. LAWRENCE: There is some mention of
3 that, although, I'm not sure if it's quite specific
4 as to what you're talking about. There was an
5 off-shore -- there was an off-channel site of
6 lamprey, I think, at one of the sites, and they did
7 some reintroductions; one was about ten years ago and
8 one was more recent than that, and one took and one
9 didn't. And I've been in discussions with Jeff
10 Ziller, fish biologist, and they were just out there
11 in April of last year, and we had asked them if it
12 was all right if we went out there and did the
13 fishing sampling, and his response was, "We're going
14 to go out there for ourselves."

15 MR. BURNS: For the chub?

16 MR. LAWRENCE: For the chub. So that area
17 around where the turtles were, that side channel
18 right there, is where, of course, the principle areas
19 are that they looked at, and they looked at these --
20 more of these smaller off-channel habitats that the
21 chubs seem to, you know, enjoy using more or wherever
22 they occur. So they sampled a number of these areas,
23 and all they found was exotics. So they didn't find
24 any within the project vicinity. And even when I go
25 to a specific gate they like, I know that the fish

1 are not there, and they wouldn't necessarily have
2 been within the surveys taken from last year.

3 MR. BURNS: And this was the most recent
4 attempt at reintroduction or was it the ten-year-ago
5 attempt?

6 MR. LAWRENCE: What it was was just surveys
7 in the area to see whether there were any Oregon chub
8 and lamprey there. I know it was -- I think it was
9 an Oregon chub general survey, and he said, "While
10 we're out, we can look at specific areas for you." I
11 don't know if it was on there generally, this was all
12 previously, but there are no Oregon chub in the
13 project vicinity. I'm not sure how far the
14 reintroduction sites for the Oregon chub that they've
15 already implemented are on the project, they're some
16 miles away. What the potential is for them to get
17 into the project vicinity, I'm not certain. I just
18 know that they are not there. I've looked in the
19 years past, and I've found none. And last year they
20 looked again.

21 MR. BURNS: It might behoove you to -- if
22 they're downstream from the watershed, there's a
23 possible remote cumulative effect on them because
24 they're in the Coast Fork or in the Coast Fork
25 Willamette Watershed. You might want to address the

1 fact that even though they're outside the immediate
2 project vicinity, you don't think your project would
3 have any type of adverse effects on them or something
4 along those lines. Identify where they are, what
5 their status is, what their distribution is, and what
6 cumulative effects you may or may not anticipate on
7 them.

8 MR. LAWRENCE: And we will do that.
9 Although, correct me if I'm wrong, Dianne, but if
10 they're in the Coast Fork itself, is that outside the
11 zone for cumulative effects?

12 MS. RODMAN: It could be, in fact, the
13 situation. It would really depend on -- well, I
14 guess, the Coast Fork will have to.

15 MR. LAWRENCE: The confluence is in the
16 manual?

17 MS. WESLOWSKI: Yes, there is.

18 MS. RODMAN: Yes. The ESA sure are -- not
19 necessarily the same geographic scope, but, you know,
20 we would be looking at it conservatively to see how
21 it -- you know, how it is out there.

22 MR. LAWRENCE: Well, we'll do that, Rob.
23 We'll find out where they are and whatever chance
24 there is. We'll let ODFW know whether there is a
25 chance they can get into that river and find their

1 way into the project area, whatever.

2 MR. BURNS: You just might want to fold that
3 into your documents somehow so we have it documented.

4 Let's see. Terrestrial resources, one,
5 two, three, four, five -- nine down. We're talking
6 about the ground disturbance. "Prior to ground
7 disturbance, review all vegetation plans with Corps
8 personnel." I would like to see in the vegetation
9 plan, some type of vegetation success criteria within
10 the plan and in any other developed plan. I've just
11 been working off this scoping document. We need some
12 kind of success criteria. And this kind of ties back
13 into the comment you have on the next page about
14 monitoring, so if you're not achieving a certain
15 level of success, you can come back and revisit the
16 plan when we finish here.

17 DR. LAMARRA: I think in the soil and
18 erosion control plan, I think there is criteria in
19 there. I'm not sure what that is. I can't remember.
20 But I remember there being a monitored plan
21 associated with that.

22 MR. BURNS: 75 percent?

23 DR. LAMARRA: Yes, 75 percent of the
24 controlled site, or something along those lines.

25 MR. BURNS: So it's in the documents.

1 DR. LAMARRA: There is. I think in the soil
2 and erosion control plan, there might be some
3 criteria. I should look at that.

4 MR. BURNS: Keith's going to send me all
5 that stuff.

6 DR. LAMARRA: We'll keep you up to date.

7 MR. BURNS: Well, I can get it from FERC. I
8 was asking FERC about sending a box of plans.

9 The top of the next page, it's talking
10 about, "Manage and monitor planted areas to ensure
11 establishment of native vegetation." I really think
12 we need, for monitoring, a time frame here. You
13 know, I would suggest no less than five years for a
14 monitoring plan and some type of an annual monitoring
15 report submitted back to the agencies so that we know
16 what is happening.

17 "Management may include control,
18 re-seeding, temporary wildlife enclosures, and
19 coordination of herbicide use with the Corps."
20 Again, I'd like to see a time table in here, and I
21 think this ought to run for the life of the license,
22 you are responsible for managing these things.

23 The cumulative affects section on Page 12.
24 Let's see. Under geology and soils we're talking
25 about -- the first bullet, "The potential effects of

1 any disturbance and/or release of sediments into the
2 Row River during powerhouse and lower penstock
3 construction." I think in this paragraph and the
4 next paragraph is talking about construction, but we
5 also need to address operation and maintenance, and
6 any potential effects the operation and maintenance
7 may have, and I'm particularly thinking about
8 sediment issues here on this one.

9 Under water resources, the first bullet
10 talks about, "Potential effects of project operations
11 on water temperature," etcetera, etcetera there.
12 Okay. I think the impacts need to be identified and
13 avoided, and then we need to discuss about mitigation
14 for those impacts we cannot avoid under water
15 resources.

16 Next page, in aquatic resources, again
17 we're talking about construction. Every place we see
18 construction, I think we ought to add some time for
19 the operation and maintenance of the facility and the
20 impacts it may have, in this case, on the fisheries,
21 whether it be resident fish or anadromous fish.

22 And that will conclude my thoughts on your
23 scoping document right now.

24 MS. RODMAN: Okay. Thank you. Let's see.
25 Keith put down oral testimony, and I guess that was

1 just -- that was just a part of your presentation,
2 and Erik did the same. Okay. Does anybody else have
3 anything to say or comment?

4 MR. MATTICK: My name is Michael Mattick,
5 and I'm an employee of the Oregon Water Resources
6 Department, the local watermaster. I've got some
7 very important things to say. I think you should
8 keep in mind it's called the Row River, not the Roe
9 River.

10 MS. RODMAN: Actually, I've heard that.

11 MR. MATTICK: And it's the Wi-llamette, not
12 the Willa-mette. And then the rest of my comments
13 aren't so important.

14 I was going to point out that the City of
15 Cottage Grove has been rebuilding their water
16 treatment plant up on Lane Creek, and they have a
17 pipeline that runs up from Lane Creek all the way up
18 to the city, and they're rebuilding that. I'm sure
19 it's going to be a multi-year project and might
20 create potential construction conflicts with that.

21 Here's some -- some kind of layman's -- I'm
22 not a fish biologist, and so just for kind of my
23 education, that the gas saturation levels, they're
24 too high currently coming down the river through the
25 tailrace, and this project will reduce them to a

1 healthier level?

2 DR. LAMARRA: They'll be reduced. Healthier
3 levels are sort of relative. But I think there will
4 be equal to or less than a hundred percent
5 saturation.

6 MR. MATTICK: I see. Now, I heard this
7 thing about fixing or trying to make sure that
8 there's not false attraction flows, but where are the
9 fish going? I mean, false attraction keeps them from
10 being drawn up to the -- I mean, do we want them to
11 continue to go to the dam, or isn't that kind of a
12 dead end, both of those things?

13 DR. LAMARRA: That's a good point.

14 MR. HOMOLKA: I'm Ken Homolka from the
15 Oregon Fish and Wildlife Commission. Actually, the
16 fish get attracted to the first outflow, and they
17 just swim up to the grab tubes and get killed by
18 striking the turbine blades, so they came up with a
19 barrier to prevent that from occurring. There isn't
20 much current for those to go upstream, but at least
21 they won't get damaged -- further damaged by going up
22 to the base of the dam versus the turbine.

23 MR. MATTICK: And there's something about
24 looking for anadromous fish and trout, what's there.
25 And the studies that you've done so far, have you

1 seen any Chinook in that?

2 MR. LAWRENCE: We haven't yet. It's just
3 been one time. We haven't yet had -- just like
4 objectives for the studies. At this time of year, no
5 adult fish. There's really adult fish there,
6 actually, but all we're looking at is juveniles by
7 our surveys right now.

8 MR. MATTICK: Now, again, what is the -- I'm
9 just curious. Is there some expectation that the dam
10 is considered a historical feature, a treasure or
11 something?

12 MR. STEIMLE: Do you want to talk about
13 that?

14 MS. WESLOWSKI: There is an existing
15 historic area that involves 13 dams.

16 MR. STEIMLE: Yeah. The whole Willamette
17 Basin Project, all the series of dams are considered
18 flood control for the Willamette Valley now, and now
19 they're all eligible as of 2001, I believe, just
20 became eligible, so we had to do a secondary cultural
21 resource survey to decide if this project would
22 potentially impact the ability of that dam to be
23 listed as part of this --

24 MR. MATTICK: So the "Historical Dorena
25 Dam".

1 MR. STEIMLE: Yeah. It's over 50 years old.

2 MS. WESLOWSKI: It's in the context of the
3 county development. It's considered historical in
4 the context of hydroelectric development, looked at
5 in that context, from that point of view.

6 MR. MATTICK: I see. That concludes my
7 comments.

8 MS. RODMAN: Yes.

9 MR. FLOWERDAY: I have one question
10 regarding the cultural. You know, the local -- the
11 local governments have been put in the position of
12 having to address and fund additional security, and
13 there's nothing we talked about here in terms of what
14 the impact of this project is going to be in terms of
15 additional security requirements for Lane County or
16 for the local jurisdictions, and I can guarantee you
17 that there will be a mandate in terms of somebody
18 addressing it.

19 MS. RODMAN: Vince, this is going to be
20 generally an unmanned project with a powerhouse with
21 a fence around it or something?

22 DR. LAMARRA: Yes. Your guess is as good as
23 mine. I think we're all charting new territory in
24 terms of security. I know that FERC has issued
25 guidelines -- new guidelines for security, and the

1 attitude is the same thing, the Corps also has
2 security issues there, they don't want people around
3 their facilities now. And so I would anticipate --
4 the answer is, yes, if they have not addressed it, it
5 ought to be addressed. At least there ought to be
6 some sort of discussion that goes on.

7 MR. FLOWERDAY: As long as there is an
8 opportunity to comment.

9 DR. LAMARRA: Yeah.

10 MS. RODMAN: Well, the project does not
11 include recreational enhancements.

12 DR. LAMARRA: No, it does not.

13 MS. RODMAN: So from that standpoint, it's
14 not going to be a draw to people. The draw would be
15 the existing Corps facilities.

16 MR. FLOWERDAY: See, our city is required to
17 do practice things in terms of dams breakthrough
18 because of the terrorist activity and all this kind
19 of thing. You know, this makes us more attractive,
20 potentially, for terrorists for God only knows, you
21 know. But the thing is is that we're not the ones
22 that control that. It's federally mandated, and, you
23 know, so we're put in a position, our local
24 jurisdiction, of having to do drills, to train
25 people, and I'm just saying, it's going to impact all

1 our lives. You're going to find a lot of resistance
2 to it.

3 MS. RODMAN: Okay. Thank you. Anybody
4 else?

5 MR. HOMOLKA: Ken Homolka for Fish and
6 Wildlife. And I actually didn't check the box for
7 testimony today, but I do have a few comments. In
8 the aquatic resources, I notice that it is considered
9 closed environmentally. A lot of those are
10 consultations that starts with a couple of them that
11 are actually going to need some monitoring. And the
12 last bullet in that is the fishery surveys, those are
13 going to have to be completed later this summer, and
14 I think some of the -- actually some of the spawning
15 surveys will be done in September?

16 MR. LAWRENCE: Right. They've scheduled
17 some of those spawning surveys. I think the last one
18 is taken in September, and the main survey a lot
19 later.

20 MR. HOMOLKA: And as Larry said earlier,
21 talking about the state statutes FERC has to -- what
22 we have to consider, being that this is a project
23 that has modifications to the fishery that occurs,
24 there's standards -- mitigation standards that need
25 to be considered, for example, effects to native game

1 fish. And I'm thinking now, looking at the proposed
2 preparation schedule, that you'll have the notice of
3 application for ready for environmental analysis in
4 the year 2005. It's just --

5 MS. RODMAN: The study's outstanding.

6 MR. HOMOLKA: Right. And if that
7 information is correct, then when that notice is
8 issued, the -- I mean, the other agencies will have
9 60 days to file. I think that if information is
10 still outstanding, you know, especially the spawning
11 ground surveys for anadromous fish, we're not going
12 to look at that, and analyze it, and incorporate that
13 at the same time as the recommendation to submit this
14 project.

15 MS. RODMAN: Ken, I can't really tell you
16 the solution to that, but that is a very real
17 problem, and I'll go back and discuss it with Louis
18 Berger reps.

19 MR. HOMOLKA: And also ODFW will have some
20 written comments that will be submitted as part of
21 the other state agencies, the water resources, DEQ,
22 and in there we'll also have comments on the noxious
23 plants that are in the area. We'll add that
24 sediments needs to be added to that. We're actually
25 in the Coast Fork Subbasin Channel, and I'd like to

1 get it on the record, please.

2 MS. RODMAN: Yes. That reminds me. I
3 probably should have said this earlier, we do keep a
4 list of comprehensive plans, meaning criteria, too,
5 for what those are, and, actually, they're pretty
6 generous. And if agencies, federal or state
7 agencies, have these plans, and they are not -- they
8 have not been filed with the commission before, they
9 should be, and I would -- call me up for details on
10 that. My memory's something like you send two plans,
11 and you don't mail them to the secretary, you mail
12 them to somebody else, and I can't remember who it
13 is.

14 So if anybody has any, like, updated plans
15 or something like that, please send them to us. The
16 actual mechanism is pretty easy. You just write us a
17 letter that says, "We have these plans. Please
18 consider these as -- you know, to be included within
19 your library of comprehensive plans. Thank you very
20 much." And if you want to check -- if you have
21 plans -- plans that you can't remember if one was
22 issued five years ago, did anybody think to send it
23 to her, you can find our list on our website which I
24 believe was updated in April, so it's pretty recent.

25 MR. LAWRENCE: One thing that you may want

1 to consider is that we've done a trip in March and we
2 originally were to do one in May, one in July, one in
3 September. As we said, we did one in March with the
4 same methodology later this month, and then we will
5 have samplings -- we do in August, in there, or in
6 June, somewhere around that time. Unless you think
7 it's really necessary, we'll just start having to
8 deal with it in September. Rather than -- you know,
9 I'm just saying, if you really want it, we can do it,
10 but we don't want to wait another two or three months
11 and have that holding things up. I don't think it's
12 really worth it. Then it may not be worth it,
13 especially if we have to wait for everything else
14 from the salmon survey. You know, we don't have much
15 in data before we get that as opposed to three
16 different surveys and the results thereof; you know,
17 what's there within certain fields, genetic analysis,
18 or whatever analysis, that may be sufficient enough
19 to base comments upon it. And, you know, is that
20 last survey really so important? Maybe you don't --
21 you know, it may turn out that it's not, and we don't
22 need a whole process before that. I don't know.

23 MR. HOMOLKA: All right. I don't know right
24 now.

25 MR. LAWRENCE: I'm not asking you -- well,

1 maybe I am. Something to think about, you know. We
2 can go after that.

3 MS. RODMAN: Does anybody else have any
4 thoughts?

5 MS. BURCHFIELD: Stephanie Burchfield,
6 National Marine Fisheries Service. Many of the
7 things I was thinking have already been brought up
8 today. We will be submitting written comments, but
9 there are some things I noticed really isn't
10 addressed in the resource issues, and that is the
11 question of fish passage. We talked about it a
12 little outside on the field trip this morning, and at
13 this point people are probably going to be observing
14 our authority to stretch that.

15 But after the tour, I went up and looked at
16 some of the habitat in the stream and looked at it
17 like it -- for me, it's my time of year when there's
18 a lot of flow in the stream, and I'm going to need to
19 go back another time to look at it.

20 We're also, my agency, has been working on
21 biological opinions for the Corps for 13 Willamette
22 projects -- 13 dams in the Coast Fork Willamette
23 Project. It's been something we've been working on
24 for five years or so, and I was hoping to get it back
25 before it got too far along because that will guide

1 what our preference is on the fish passage at this
2 project. What I don't want to do is have this
3 project move ahead and foreclose those opportunities
4 we might be looking at there. So I'm a little
5 concerned about the exclusion screen that doesn't
6 meet criteria that they have designed, so I -- you
7 know, I need to look at it a little bit more. And I
8 think the EA is going to consider those options.
9 What if anadromous fish we passing? Then what do you
10 do if you have a screen, and it's not really good?
11 Do you want to go back and put in a different screen?

12 The other thing, someone was talking about
13 bald eagles. I just wanted to let you know I saw one
14 at the top of the reservoir today, so they're out
15 there.

16 MR. MATTICK: That was a crow with a piece
17 of bread in its mouth. I made that mistake one time
18 actually. Michael, Michael Mattick. I mean, it
19 happens.

20 MR. LAWRENCE: Keith Lawrence, Ecosystems
21 Research. Are you suggesting that the size of the
22 screen -- recommendation for the size of the screen
23 could be where the main fish passage is impeded; is
24 that what --

25 MS. BURCHFIELD: Yes. You're probably the

1 only one to show us that. Yes.

2 MR. HOMOLKA: Ken Homolka, Oregon Fish and
3 Wildlife. Also that's something we need to consider,
4 since there are cutthroat and rainbow upstream. And
5 as I mentioned, for the mitigation standards having
6 any benefit for the game fish, there's some loss
7 there mitigating those. The purpose is to prevent
8 that to a certain extent. The criteria speaks to
9 that mitigation at one point. We have some loss
10 there in wildlife habitat, and we need to ensure that
11 standards are met by this.

12 MR. GINNEY: One clarification, I mentioned
13 earlier that the third bullet item on the geology and
14 soils, I have a question for the applicant. This
15 morning -- I should back up and say that the FERC
16 staff developed that third bullet point based on the
17 soil and erosion control manual and some through
18 verification from the applicant. It's my
19 understanding that it appears that you guys do not
20 intend to do any staging on the SEPA that are out
21 there, so you mentioned to utilize only the areas --
22 using the staging area's procedures of the dam.

23 DR. LAMARRA: You want us to amend that?
24 This is Vince Lamarra, consulting head.

25 MR. GINNEY: Thanks.

1 DR. LAMARRA: You're welcome.

2 MS. RODMAN: Anyone else? Has everybody
3 filled out a registration form? We got some people
4 come in late, so we ask --

5 MR. HODGE: We're okay.

6 MS. RODMAN: We're okay? All right. The
7 due date for comment is May 16th. As I said, we have
8 a due date, but we're not -- we would like it for
9 purposes of preparing Scoping Document 2 or not
10 prepare it, whichever it turns out. The Scoping
11 Document 2 would be a revision of the current one
12 with new information, new issues, changes in wording,
13 thing like that, so from that standpoint, the May
14 16th date is important.

15 But in the case of local residents, I don't
16 think they really need to worry unless they actually
17 have an issue that they think needs to be modified in
18 the scoping document. But local residents should not
19 hesitate to write us at any point in this proceeding.
20 There are certain -- there are certain points like
21 when we issue the notice for ready for environmental
22 analysis, and we get comments, we will exclusively be
23 treating it as an environmental assessment, so that's
24 an important due date because right after that we
25 start writing.

1 But even so, if somebody writes in out of
2 time, we will try our best to accommodate. If not in
3 the EA, whatever commission document is issued next.
4 And if anybody wants to be on the mailing list,
5 please give me your information, address and so
6 forth, and I'll go back to D.C. and have our people
7 put you on the list. So see me for that. And no
8 last comments or anything like that? All right. The
9 meeting's adjourned. Thank you very much for showing
10 up.

11 (Whereupon, the meeting was adjourned at
12 3:55 p.m.)

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1 CERTIFICATE

2 .

3 I, Jea Oh, do hereby certify that
4 pursuant to the Rules of Civil Procedure, the witness
5 named herein appeared before me at the time and place
6 set forth in the caption herein; that at the said
7 time and place, I reported in stenotype all testimony
8 adduced and other oral proceedings had in the
9 foregoing matter; and that the foregoing transcript
10 pages constitute a full, true and correct record of
11 such testimony adduced and oral proceeding had and of
12 the whole thereof.

13 .

14 IN WITNESS HEREOF, I have hereunto set my
15 hand this 16th day of May, 2005.

16 .

17 .

18 _____
19 Jea Oh Commission Expiration

20

21

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25