

Juneau Hydropower, Inc.
National Marine Fisheries Service
Consultation Meeting
June 21, 2013 9:00 AM

Mr. John Matkowski: This is John Matkowski from FERC.

Ms. Dianne Rodman: Hi, John. I'm here.

Mr. John Matkowski: Hi, Dianne.

Ms. Cathy Needham: Good morning.

Mr. John Matkowski: Morning.

Ms. Cathy Needham: Cathy.

Ms. Dianne Rodman: Okay, Cathy. This is Dianne and John.

Ms. Cathy Needham: Hi, how are you guys?

Ms. Dianne Rodman: Pretty good.

Mr. John Matkowski: Good, how are you?

Ms. Cathy Needham: Excellent. This Juneau weather couldn't be better. I can't imagine how long it's gonna last.

Mr. John Matkowski: I heard it's pretty warm there, is that right?

Ms. Cathy Needham: For weeks now.

Mr. John Matkowski: Oh, wow.

Ms. Cathy Needham: And that was plural in case you missed it. I'm not complaining, trust me, it's been great. Kinda makes you wonder when the other shoe is gonna drop.

Ms. Dianne Rodman: Yeah.

Mr. John Matkowski: Yeah, the guys on the aquatic call yesterday were complaining about it. They said they moved up there to avoid--get away from that.

Ms. Cathy Needham: Yeah, I was on there. I heard Shawn [sp], he's like, "I moved here so that I wasn't in the heat." Although, you guys get warm weather over there--hot weather over there, too, and it gets real muggy.

Mr. John Matkowski: Yeah.

Ms. Cathy Needham: Everybody is like, "Why is 70 so hot for you?" It's like, "Well, we're right on the water."

Ms. Sadie Wright: Hi, this is Sadie.

Ms. Dianne Rodman: Hi, Sadie. This is Dianne Rodman from FERC.

Ms. Sadie Wright: Hi, Dianne.

Mr. John Matkowski: John Matkowski from FERC is also on.
How are you?

Ms. Sadie Wright: Good. How do you spell your last name?

Mr. John Matkowski: M-A-T-K-O-W-S-K-I.

Ms. Sadie Wright: Thanks.

Ms. Cathy Needham: And Cathy Needham's on here, too,
Sadie--

Ms. Sadie Wright: --Hi, Cathy--.

Ms. Cathy Needham: --With Kai Environmental.

Mr. Duff Mitchell: Duff just dialed on. Good morning.

Mr. John Matkowski: Good morning.

Ms. Sadie Wright: Hey.

Ms. Cathy Needham: Hey, Duff, I think we have everybody.

Mr. Duff Mitchell: Okay, great. I would like to just-- maybe Cathy, turn this over to you. I'd like to go through the draft wildlife review. Any comments--questions that we have so we just understand thoroughly what--where National Marine Fisheries is coming from, so I can take our proposed action, which is similar to every other FERC project that I've seen, but understand and make sure that I meet the needs of National Marine Fisheries in the proposed action. So, I'm real clear on that.

That's one of the proposes that I need, and then maybe--we got FERC on the line just to make sure that we're all moving process-wise, where we need to go with the draft license, with the consultation process, and do what we gotta do to do things right. So, if you don't mind, Cathy, I'd like to turn it over to you to lead. If you don't mind?

Ms. Cathy Needham: Okay.

You just want me to go through some of my questions regarding Sadie's letter?

Mr. Duff Mitchell: Yeah, if that's fine? Is that alright with you, Sadie?

Ms. Sadie Wright: Yeah, that sounds good.

Ms. Cathy Needham: Okay.

Well, we've been working on--does everybody have a copy of the letter?

Ms. Dianne Rodman: Let me see, E-mail from--let's see-- what do have here?

Mr. John Matkowski: Is it something you sent in an E-mail or from the record?

Mr. Duff Mitchell: I think this is not in the record yet.

Mr. John Matkowski: Okay.

Mr. Duff Mitchell: I will--John and Dianne, I'm gonna send it to you right now.

Ms. Dianne Rodman: Okay, I'm looking at one of your--well, this is the NMFS E-mail from Sue [sp], okay.

Ms. Cathy Needham: Yeah, Duff had sent it--he had forwarded it to the wildlife workgroup, and when we received it, it was about May 8, 2013.

Ms. Dianne Rodman: Okay, let's see--meeting summary.

Mr. Duff Mitchell: Okay, I just sent it out to you.

Mr. John Matkowski: Okay.

Ms. Cathy Needham: While you guys are waiting for that, Sadie and--just so that you know where we are in the process, we drafted our wildlife analysis according to Forest Service guidelines, and we've had several wildlife workgroup meetings

where we've addressed comments to try to burn [sp] up that document as much as possible. And we received a lot of assistance from Dennis Chester [sp], the Forest Service, and he's been our go-to person in terms of what level we need to be working on things.

And then, the next is issues that give us direct comments block on the document review. And so, now we have a draft of the wildlife analysis document that, you know, it's complete, but it has comments integrated in it from the two different agencies in placeholders where I haven't had a chance to address the comments completely.

And then, we have also received some comments from Dianne, which I've mostly been able to take care of already. There's just a couple of things of hers that I still have to get fixed. But--so, it's getting really close, but now we're starting to think about, "Well, what do we need to do in order to--in terms of process, what are we gonna do in order to address threatened and endangered species so that when FERC goes to TV consultations, they have a document that is like a biological assessment--or that they can extract from to create a biological assessment in order to consult on certain endangered species for the project."

So, my understanding from our last group discussion--wildlife workgroup discussion, was that this document

[inaudible] necessarily [inaudible] that will be a biological assessment, but it should try to confer as much of the potential TV impact as possible so that FERC can use the information in it for their biological assessment/evaluation for a consultation.

So, with that being said, one of the very first things in your letter, and hopefully, everybody has gotten a chance to pull that up now, but one of the first things in your letter is this project description and having a little more details in some areas so that some of the effects analysis can be addressed and--either when we drafted the wildlife analysis document, it was based on the standard proposed action that was used for all resource groups that was initially given to us by Juneau Hydropower.

And so, there are a number of things that seemed--like their requesting that we don't necessarily have very much level of detail on those things that are like sound source levels--a lot of construction-based potential impacts from construction and operation-based things that haven't been nailed down.

So, for item number one was the project description that you made comments on and trying to fully describe sound source levels, so we're assuming sound impacts would come from construction activities, building the tunnel, boating activities, common pilings for the dock construction, that kind of stuff.

And then, timing. Some of the timing--I mean we just don't--as far as I can tell from my conversations with Duff, we don't know when this project will go to construction or even necessarily what season each piece of that project will go. So, that's where I am at, I guess I need feedback from you and for you and Juneau Hydropower to determine exactly what level of project description is going to go into this wildlife analysis so that we can finish.

Ms. Sadie Wright: That sounds really good to me, Cathy. Thank you for explaining that this document will inform a future BA. I wasn't sure if this would kind of morph into a BA, so my comments are focused on trying to shape this into a BA. But, if it's gonna inform a BA and you're looking at a number of different alternatives, then it makes sense that you're more general are proposing a number of alternatives. Whereas, when I have a final BA to analyze, I just want to know about the preferred or the selected action.

Ms. Cathy Needham: In the BA or in this document?

Ms. Sadie Wright: In the BA--.

Ms. Cathy Needham: --Okay--.

Ms. Sadie Wright: --I mean this one is for--going to inform a BA, and I'm most interested in using the BA to do my section 7 consultation.

Ms. Cathy Needham: Right, okay.

Mr. Duff Mitchell: I have a question, Sadie. When it says--when the final action, not for multiple potential alternatives--I understand the final action for our project, but I'm trying to figure out how maybe that final action is broken down to how it relates to the T&E. And I guess this comes back to some of my confusion with the granularity of what is necessary for your needs.

When we file a license or a permit application, we say, "Hey, we're gonna be building a road this long, the transmission line this long, there is gonna be submarine components, a tunnel this, we're having this many megawatts." And it's a couple paragraphs of pretty specific information, but it doesn't go down to the detail of exactly how each of these components will be built. When I say how, I mean a buried transmission line has an inferred digging to it. A tunnel has an inferred drill and blasting or something to cut a tunnel out.

I have looked, and I'm not been too successful in finding a project description for a submarine laying--.

Ms. Dianne Rodman: --Cable?

Mr. Duff Mitchell: Yeah.

I know that there was one in Haines to Skagway, and I know there was one to North Douglas to Grains Creek, but both of them are either not on the internet, or it was before those things were published. And I am just trying to determine where can I

get that information because I am sure that they had to deal with your agency on these similar issues back when they laid those cables.

Ms. Sadie Wright: Yeah, I can ask around here, but I would bet that either FERC or the mine might keep better records than we did back then, but I'll ask people around here.

Mr. John Matkowski: Duff, this is John. There are--I mean there is several hydrokinetic projects and other projects that require a submerged cable that have to do this analysis. Of course, I can't think of them off-hand. I don't know if Dianne can think of any.

Ms. Dianne Rodman: None marine.

Mr. John Matkowski: Well, you might try on a search on eLibrary. I can look, also. But, I have run across them in other searches.

Mr. Duff Mitchell: You know, John, you are probably right. I know that there is wind farms that have to run submarine cables, but I was just looking something more for our region in Alaska, and I know those were the two--what do you call, submarine cables. There was an even early one, the Snettisham crossing that was redone, I think, 15 years ago. But, that one was definitely before things got posted on the internet.

I was just looking for something in our vicinity, but using a guideline for proposed action, I think that's a good idea. I

can look at hydrokinetic projects, as well. I was just trying to figure out how--if there was any measures that someone proposed, you know, "We're only gonna go three knots. We're laying the cable for humpback whales because they swim at X," you know what I'm saying, to try to not entangle them or hit them. You know what I'm saying.

Mr. John Matkowski: Yeah, I mean I wish I could remember the names of these projects, but I have run across them. In some of these, they describe sound levels and seasons and the equipment. Like you said, I don't know--I can't recall if they are in Alaska, but they are definitely in the Pacific Northwest.

Ms. Dianne Rodman: We have a issued license for the Reedsport Wave Park off of Oregon.

Mr. John Matkowski: Yeah, that's one of them.

Ms. Dianne Rodman: Right, and that's project number 1-2-7-1-3.

Mr. Duff Mitchell: 1-2-7--.

Ms. Dianne Rodman: --1-3.

Mr. Duff Mitchell: Thank you, Dianne.

Ms. Dianne Rodman: And the others that we've issued--we have two on the East coast that may or may not be helpful. And then we have one in Alaska, but it's a river hydro and the cable is not submerged. It's way, way inland. It's near Fairbanks or--well, 100 miles south of Fairbanks. If you want to look at

maybe Cobbscook Bay in Maine. It's a tidal project. That's 1-2-7-1-1. I don't know anything about it's transmission line situation, but that might be helpful. I'm pull--I'm looking--what I am doing is looking at FERC.gov--industries/hydropower/general information/licensing/hydrokinetic.

Mr. Duff Mitchell: I'll look up this Reedsport and take a look at the Cobbs--this 1-2-7-1-1, but it's--also, Sadie, I would like--I know you guys did that move to the Ted Stephens, and I know you also have a vast library. And even if--I don't know if the public has access to that. There may be some records in there, too. But, I am just trying to learn from what has been done more on a localized Skagway, Juneau level, so that I can get a gauge what has been done with projects in our vicinity in the past.

Now, I do know that T&E levels change. Maybe humpback whales were out there then and maybe Stellers--you know what I am saying. I mean there may be additional wrinkles with time or the complexity of a new species. But, at least that might give me a good format to use. It may also give me some tricks of the trade if someone's already done humpback whale mitigation and/or processes that would be wise to incorporate in our action.

Ms. Sadie Wright: I am betting that Reedsport one might be helpful because it'll have similar species to what we have up here in Southeast.

Mr. Duff Mitchell: Okay.

That was just my question on the project description because Cathy has been waiting for that from me, and I'm--every other requirement for my FERC process and for agencies has been just using the proposed action that's very general that is listed in our draft license and in our preliminary permit application. I'm trying to grapple with how to come about with this granularity.

I did talk to ABB this morning, and they're potentially-- there is only three or four cable manufacturers in the world that do submarine cables. And they would prefer that I hire one of their ships, but then you are in a waiting line for two years. You never know what ship you are gonna get.

They have multiple subcontractors, and so, these things are never what I would say locked down, only because that's the nature of the business. And so, what is the horsepower of that engine--you can obviously run a vessel at below 3 knots or below 2 knots or lay it at 1 knot.

But, that's some of that--like that speed and timing is controllable based on the maneuverability of the ship, but sound source levels and those kinds of things, it's a little more difficult.

I did talk to Western Marine, who--our preferred action would be not to use one of these foreign ships, but to actually

place the cable on a barge, and then--on a reel on a barge, and then spool it off and using up to three tugs to very highly, accurately GPS lay the submarine cable in a very methodical manner pushing it across Gilbert Bay and then also across to Port Snettisham.

And that person said, "Well, I have half a dozen tugs. I can give you the horsepower and make of the engine for all those, would that suffice?" And I didn't know what to tell him. I said, "Yeah, give me the information right now, at least I have that." But, is that the kind of granularity you are looking for? What if I said, "Hey, we'll use maybe one or up to three of these tugs. This is the number of horsepower and engines and whatever they have." Is that what you're looking for?

Ms. Sadie Wright: So, the big picture--what we all need to do as a group is--and FERC, especially, because they are the action agency, needs to determine how this project--all the different ways that this project could affect T&E species, either through sound effects, acoustic disturbance, ship strike, potential pollution, and think about all of those things and all of those factors that could be stressors to Steller sea lions and humpback whales in this area.

And then, think about ways to potentially mitigate those impacts, lessen those impacts, and then come up with a

determination, a decision about the level of affect this action is likely to have. They are not likely to adversely affect or it is likely to adversely affect, which means that you expect some level of harassment or take to occur, and in that case, we would talk about developing an incidental take statement or a permit for those takes.

But, basically, we need information on all of the aspects of the equipment that might affect listed species. So, sound source levels for different big ships--like those engines are really loud and those--decibel levels over 160 have been shown to harm either pinnipeds or cetaceans, and decibel levels from a continuous noise source over 120 have been shown to harass or change the behavior of those two groups of animals.

So, if there is something with the project that is going to omit sounds greater than that, then we need to detail that, describe that, so that we understand the--what the stressors are and what the potential effects are.

Anything that you can think of that might affect the species, either the speed of the boat--fast moving vessels have a much higher risk of ship strike to humpback whales, but very slow moving vessels don't. We just need to describe that so that we can justify the determination. Does that make sense?

Mr. Duff Mitchell: Yeah, it does.

One of the things that pop up, and this is--maybe has any bearing or maybe has absolutely no bearing, but the--Mist Island has sea lion haul-out, and we're putting a shore facility which would be where the marine terminal would be where you bring the submarine cable up to the beach and then run it 400 feet buried up to the Snettisham line.

And I was talking to someone at DIPAC yesterday, and they said, "Mist Island has three to four packers out there during the season, and you have gillnets--the gillnetters running all over that place." So, there is already a lot of boat/marine activity heavily in that area during openings when the fish are running up Port Snettisham.

And he says, "Well, how does National Marine Fisheries handle that?" Now, I don't know if that has any bearing on our proposed actions, but there's a lot of already boat traffic and other factors out there. Did these tender operators and these fish plant operations have to go through this because they are sitting there, and they are anchoring right off of the rook--they actually anchor 50 feet away from where these Steller sea lions usually rook, and then they disappear. They don't like that, either.

Ms. Sadie Wright: So, Steller sea lions are protected both by the ESA and MMPA, so it's illegal to harm or harass them. The ESA--section 7 of the ESA requires that federal agencies

that conduct, permit, or fund activities need to consult with us to mitigate impacts of those projects on T&E species if there is expected to be overlap. So, that's why we're doing--that's why we're looking at doing this consultation now because there is a federal--.

Mr. Duff Mitchell: Okay.

And because those are more private interests or private entities, they would not--they don't need to do that stuff.

Ms. Sadie Wright: They don't have the opportunity to consult with us and get a incidental take statement or permit. They have to go through a different avenue if they want that permit. But, it's illegal to harm or harass that species.

Mr. Duff Mitchell: Okay.

Mr. John Matkowski: That would also be analyzed as accumulative impact, I believe. Is that correct?

Ms. Sadie Wright: Yeah, it would be great to have more information about that activity.

Mr. John Matkowski: So, commercial fishing, vessel traffic?

Ms. Sadie Wright: Yeah, I mean anything--I think we need to know more about that haul-out, about the presence of animals on the haul-out and what it looks like.

Mr. Duff Mitchell: What is the--just from your knowledge, what is the minimum safe distance that you should have any activity from a known haul-out? Is there a set distance?

Ms. Sadie Wright: There is not a regulation for Steller sea lions, I don't think. But, you're not allowed to change their behavior.

Mr. Duff Mitchell: Uh-huh.

Well, their haul-out is in a cove away from--this is more where we would be go--is more an open water. And so, there is more--I would say there is--it's just natural that there would be sea lions transiting within the area. But, it's--our marine transmission terminal is not within proximity.

Mist Island is tucked away in the cove. I'd say it's due west of where we're going to be. And so, it's protected--I mean the Mist Island haul-out is around the corner and in a bay--or in a little cut out. It's not quite a bay.

And so, that's why I was just trying to understand geographically--there would be no reason for the sea lions, if a boat was on the outside of it, to scare them off their rookery, where a tender boat coming in there and anchoring right off their rookery is a whole different situation. It's--their within the area their young or wherever they are and scares them off. But, I guess that would be considered, not take, but harassing.

So, I was just trying to figure out geographically what we could do to either move the marine terminal further North if that was an issue, or if that was a potential action, or if we were within a safe operating distance.

Ms. Sadie Wright: I think as far North as you can move that facility would be great, so that you are not potentially causing long-term damage to the haul-out by having more human activity in this area.

Also, timing windows are an option for construction. If we knew that there was a period of the year, and that's likely, that sea lions weren't present on that haul-out, that would be a good time to go in and do construction.

Mr. Duff Mitchell: Well, the word is is, when the gillnetters come in there, all the sea lions run up into--inside of Port Snettisham and hang around the Port Snettisham hatchery and the Hydropower up there because there's another rookery. But, that's not harassment. I guess that's just scattering them. I mean I don't know what the fishermen--they may--there are probably not too many around with all those nets or--.

Ms. Sadie Wright: --From my understanding is that there is not a sea lion rookery in Port Snettisham. There is this haul-out on Misty Island. And I don't know about another haul-out, but I do think what this Misty Island haul-out has shown me is that we need to--we need a better understanding of Steller sea

lion use in that area so that we can figure out the best way to do this work without harming or harassing them.

So, if you do have information or the ability to quantify when and where these animals are, that's gonna help us, I think, shape the project.

Mr. Duff Mitchell: Okay.

Yeah, and also, just so you know, that once you put a marine terminal in--you are saying the long-term human--there is none, once it's built, you probably--that buried cable--unless there is a catastrophic malfunction within the buried cable, which is very, very, very unlikely, once it's installed, no further human activity there.

Just so you understand when--there will be a period where the cable is brought to shore, and then there will be--right now, the reason why we're burying it is that it's better for scenery. You don't have another power line going up there. And so that would require a trencher, a piece of equipment to trench it, to bury it in onshore.

But, where exactly we're doing it, there is a band of very steep rock that the sea lions definitely do not use. I am sure they swim by it, but they don't physically get onshore there. And then, it immediately goes into alpine trees and forest, literally right above the rock edge. So, it's not what I would call a likely habitat.

But, once it's constructed, it's done. There's no more human activity there. Just so you understand what that marine terminal would entail. It's not like a boat's ever gonna go back over there again unless there was a catastrophic failure.

Ms. Dianne Rodman: Duff, this is Dianne. When you say marine terminal, what you mean is the--that last segment of transmission line on the north side of Port Snettisham?

Mr. Duff Mitchell: Right.

It's just a connection point. It's the--when I say marine terminal, I use that terminology to describe where the submarine cable is connected to the buried cable.

Ms. Dianne Rodman: Okay, gotcha.

Mr. Duff Mitchell: It may be a small box. It may be a concrete structure. It may be a metal structure of 10 feet by 10 feet.

Ms. Dianne Rodman: Okay.

Ms. Cathy Needham: This is Cathy. Sadie, do--I've called around. I've contacted Laurie [sp] at Fish & Game. She's an extremely busy person, and she did say that she had packaged up some information and sent it to somebody regarding the Mist Island haul-out. And I was wondering whether or not you received it and if you did, if it's something that you can share.

I did get a message from her today, and she's gonna try to get to us, but she's getting ready to go in the field for a couple of weeks. And I'm just trying to get--I mean at this point in time, the information that have for the Mist Island haul-out is, as far as I can tell, strictly [unintelligible] with Fish & Game.

Ms. Sadie Wright: So, she did send me an E-mail with some count numbers, but it wasn't extensive. I can forward you that E-mail, but it would be nice to have more information. So, if she has more, that would be great. I'll make a note to send you that E-mail.

Ms. Cathy Needham: Okay.

My understanding is she doesn't have much more than what she has already sent. And she did originally ask me if I could get it from who she sent it to, and I said, "Well, please tell me who you gave it to," and she couldn't remember. And I said, "Was it Sadie?" And she said, "It sounds about right." But, then she said that she would just pick up the E-mail and forward it to me, and she hasn't had a chance to do that.

Yeah, I'd like to have to some--at least some starting point. Until we received your letter, we weren't aware of a haul-out on Mist Island from the searching that we did do for information. So, my--as best as I can tell the information that Laurie is providing is the information that is available to the

sea lions there. And then, of course, the information that Duff has found, talking with the Snettisham guy yesterday, so--.

Ms. Sadie Wright: I will find that E-mail that she sent me and forward it to you.

Ms. Cathy Needham: Okay.

That would be great. And then--so--how do you want Juneau Hydropower to go forward in terms of needing more information about Steller sea lion use on Mist Island?

Ms. Sadie Wright: It depends on what the action is. If there is a lot of construction and noise nearby, I think we need to look for a timing when knowing that the animals aren't present. And right now, with just Laurie's data, it doesn't seem like there is enough information to know when they're there and when they're not there.

Ms. Cathy Needham: Okay.

Mr. Duff Mitchell: Is there a typical time when they are not there? I don't know, Sadie, I'm just asking, or could it be across the board of the seasons?

Ms. Sadie Wright: I don't know either. It sounds like the more we learn about them, the more we learn how variable use is at different haul-outs. So, one haul-out might not be a good indicator of another, especially this one seems like it's kind of far from the next nearest haul-out, but I'm not sure.

Mr. Duff Mitchell: Well, I've heard rumors that, at least seals, I don't know if sea lions, but they use Fanny Island, which is further up in Port Snettisham. I mean there is a population of seals and sea lions in Port Snettisham. I am surprised that there isn't more information available. Since talking to DIPAC, they're saying that right on the jetty next to the airport at Port Snettisham, on a good day, you could count over 100 animals.

Ms. Sadie Wright: That's great.

Mr. Duff Mitchell: Yea.

I mean it's a healthy--obviously, and he goes--Eric [sp] was saying, "I don't know what they're eating because they're not eating our fish all the time."

Ms. Cathy Needham: And, Duff, there is actually quite a bit of information about harbor seals in Gilbert Bay, especially in the Whiting River for--.

Mr. Duff Mitchell: --Right--.

Ms. Cathy Needham: --Nursing, so--.

Mr. Duff Mitchell: I will say from Fish & Game's records, there is quite an abundant, halibut, crab, shrimp biomass in the area. And I'm sure those are all critters that all of those species enjoy.

Ms. Sadie Wright: Another thing I should mention to make sure you guys are aware, is if you think this action is going to

harass marine mammals--I mean we're gonna--as long as action isn't jeopardizing endangered species, we can work with you to minimize the impact and then permit that harassment.

But, if you are gonna harass them, then you'll need to follow up with our D.C. office for an incidental harassment authorization, and that'll include harbor seals if you think that you might harass them.

Mr. Duff Mitchell: What did you call that, incidental harassment authorization?

Ms. Sadie Wright: Exactly. We usually refer to it as an IHA for short-hand. And if you haven't contacted them already and you think you might harass marine mammals, I can provide you with contact information for that office.

Mr. Duff Mitchell: Underneath the--I hate the word harass because it's sounds nasty, but with sound and with decibel levels, it's likely that underneath the regulatory definition that we could be incidentally harassing them, or during some time, if they're within the distance. So, I'd like to get that information because I don't think it would be short-sided to not have that information as we get further in this, to be prepared to do that.

As our--it's Juneau Hydropower's premise and goal to do absolutely no harm to the environment. And so we want to work

well within any known mitigatory measures and what I would call best management practice.

And that's one of the reasons why I was so interested in the Skagway and Greens Creek and North Douglas and the Snettisham cable because if someone had already developed a protocol for best management practice or at least--maybe they don't call it best management practice, but at least they considered those factors. I think it would be just good for us to incorporate that and to basically have lessons learned from others that have preceded on this matter before us so that we can better protect those mammals.

Ms. Sadie Wright: Do you want me to send you, Duff, the contact information for the IHA people back in D.C.?

Mr. Duff Mitchell: Yeah, if you could do so. And I don't know if there is something on the website or whatever that describes this IHA, but I'll try to learn about it as well.

Ms. Sadie Wright: Okay.

Mr. Duff Mitchell: Not that we're intending to incidentally harass, but just because of the particulars of sound and whatnot, we may fall into that category where it may be prudent for us to get the authorization ahead of time, so to say.

Ms. Sadie Wright: And talking to those people might help answer some questions for you.

Ms. Cathy Needham: I haven't covered Steller sea lion stuff to the extent that you feel we should--I know where we're headed with this at this point in time. Do we have any other questions on that or should we move forward?

So, Sadie, back to your letter, just so you know, your second goal point was about option area, and we did include a better map or we redid it. We are redoing a map that includes everything and it will actually include the lateral between Gilbert Bay and Juneau. And that map also includes all of the names of the places that were mentioned in the report, so that they are now identifiable. So, that part of, as near as I can tell, has kind of been fixed already.

And then, we've gone through and taken out all of the NMFS website references and started beefing up the sections on the species descriptions. That includes information from the SAR--the SARs that we're working pretty diligently on that. And I think we have that pretty covered.

In talking about a little bit about species description, we have the humpback whales, Steller sea lion, of course, and then we have Pacific herring, which is a candidate species. And when we had our wildlife workgroup meeting--so, the purpose of the wildlife analysis document--we do address herring under what's called the FERC Services Sensitive Species list because all candidate species are automatically covered in that section.

But, not necessarily to the level of detail of where FERC would go to consultation on herring as a T&E species.

And so, I wanted to let you know that that is what--where that stands right now and find out from you if herring is actually gonna be something that they are gonna need a greater level of detailed information for in order for consultation to occur on them, or because if it's a candidate then it's gonna be covered. I think we decided, if I remember right, that it was gonna be covered more in consultation under Essential Fish Habitat, which is outside of this wildlife analysis process.

Ms. Sadie Wright: The nice thing about consulting on them and treating them as if they're a listed species is that if they are listed, then you won't have to reinitiate your consultation down the road. You've already done a full--I think, in this case, if we included them and treated them the same as Steller sea lions and humpback whales, we would call that a conference opinion, and we would analyze them the same way. And then, if they were listed in a couple of years, you wouldn't have to reinitiate your consultation. It would already be done.

But, our status review is due out for that species here shortly. It's in review, so I don't have a great feel for when we'll know if we're gonna list that species or not. But, it sure seems like it's getting close, so it might be that here in

the next--by the end of 2012, we know if it's gonna be listed or not, but I'm not 100 percent sure.

Ms. Dianne Rodman: Sadie, so your agency would allow conference on a candidate species?

Ms. Sadie Wright: Yes.

Ms. Dianne Rodman: Okay, because I don't think the Fish & Wildlife Service does that, although they like to have them considered. But, they don't--they only conference on proposed species.

Ms. Sadie Wright: I see. Well, our agencies definitely interpret different sections or have developed different policies for different sections of the ESA that are more gray. So, I wouldn't be surprised if we did that differently. I did think the conference option was something that both agencies did, but yeah, I could be wrong. But, yes--.

Ms. Dianne Rodman: --Yeah, it could be. I have no objections because it makes things cleaner, actually.

Ms. Sadie Wright: Right.

Ms. Dianne Rodman: Okay.

Mr. Duff Mitchell: I was trying to understand this conference option. Is that between FERC and National Marine Fisheries, or how does that--I guess I was just trying to understand what that meant.

Ms. Sadie Wright: It's basically treating a candidate species as if it had already been listed.

Ms. Dianne Rodman: Yeah.

It's kind of an equivalent category for consultation, but we use a different word to indicate that this is not a listed species.

Mr. Duff Mitchell: Okay.

Ms. Dianne Rodman: And that would be between FERC and NMFS.

Ms. Cathy Needham: So, Dianne, given our conversation from our wildlife workgroup meeting, are we still handling herring in the wildlife analysis at the level that meets the Forest Service process in this document that's still shifting herring over to aquatics to have that more [inaudible] labeled for consult for their potential fish habitat now and potentially a threatened and endangered species?

Ms. Dianne Rodman: John, what do you think? It would probably be more likely your sections.

Mr. John Matkowski: I mean we usually--I think we group them together. We might group it together under ESA. But, it's--the different resource person would analyze that. I don't think it should be included as part of the wildlife analysis, but--I'm trying to think here.

Ms. Dianne Rodman: Well, ESA is usually addressed under the aquatic resources section.

Mr. John Matkowski: Right, right.

I just didn't--I thought she was asking if it should be included in there wildlife--.

Ms. Dianne Rodman: --No--.

Ms. Cathy Needham: --Well, we decided at the wildlife workgroup meeting that it was not gonna be at that level of detail in this wildlife analysis, and I wanted to make sure that, now that we know that NMFS may consult on a candidate species, I want to make sure nothing has changed for me.

Ms. Dianne Rodman: The level of detail, you mean, rather than where we put it?

Ms. Cathy Needham: Yeah, the level of detail because we still--because it is a candidate species, it becomes a Tongass National Forest sensitive species. But, we're not--I mean Dennis's [sp] input was that we probably wouldn't--we wouldn't analyze it as a T&E species in that respect. We would just come up with additional information that kind of address some of the comments that Sadie had made about herring being there in documents that they may or may not be there.

But, it wouldn't be at the level of information that you might need for a consultation document, which I thought that the

wildlife workgroup felt would come more from an Essential Fish Habitat analysis since that required consultation as well.

Ms. Dianne Rodman: John, what do you think?

Mr. John Matkowski: I am just trying to think. I am setting up sections in my head now. Generally, we do have a special status species, important fish species where we'll detail--for instance, Forest Service Species or something--.

Ms. Dianne Rodman: --That wouldn't be an aquatic species--

.

Mr. John Matkowski: --More than any other--.

Ms. Dianne Rodman: --That would be within the aquatic resources section, right--?

Mr. John Matkowski: --Right.

That would be within the aquatic resources section. And as far as EFH, that's another section, so it would also be detailed there. It needs to be--I mean provide the detail how that--how it's set up in the final environmental document or draft. That'll be determined at that time, but--.

Ms. Dianne Rodman: --Yeah.

But more information is always better than less.

Mr. John Matkowski: Right.

Ms. Cathy Needham: Right.

Ms. Dianne Rodman: And I don't know how much information you can actually get on the occurrence of Pacific herring or the

project's effects on them. But again, I would--if we're gonna go to conference on that species, then I'd--probably as much information as you can get would be helpful.

Ms. Cathy Needham: Okay.

I mean I have followed up with David Harris who has information that Sadie referenced in her letter. And he was not aware of any additional information outside of two anecdotal observations that were made. And that information was incorporated into the report, just that what he has on his files.

It doesn't--but beyond that, we still don't know anything about the use of herring in Gilbert Bay, just that they have a likelihood to occur--or they have occurred at some point, and have spawned in potentially two separate locations. They are pretty far away from the project--well, I wouldn't say pretty far away, one of them was on the south shore of the Whiting River where--the mouth of the Whiting River, and the other one was in Port Snettisham. And those observations are referenced in the report as personal communication.

Fish & Game doesn't keep--Dave Harris just happened to record these things because people called Fish & Game and let them know. One was a commercial fish man, which he felt that guy has a pretty good knowledge, and what he saw was most likely

herring spawn, and he was actually able to pinpoint on the map where that area was.

The other one was an Alaska state trooper that was doing their--they were checking bear hunters and that they herring spawn, and that was the one near the Whiting River. So, that one was kind of an unconfirmed report. The trooper didn't know if it was herring spawn, but assumed it was herring spawn, and didn't really give a good indication on the map, and as he said, "About in this area."

So, that's the type of information about herring that is available to the best of our knowledge at this point. Unless somebody knows of other references that we have missed.

Mr. Duff Mitchell: And for our project area and project boundaries, both of those settings are outside of our project area and boundary even though they are in the Gilbert Bay, Whiting River, Port Snettisham areas.

Ms. Cathy Needham: Well, your project boundary includes the waterway of where--especially during construction, where you might be hauling stuff back and forth--.

Mr. Duff Mitchell: --Exactly. I agree. And Sadie, we walked the entire beach from the dock to the mouth of Sweetheart Creek, and then crossed, and then back around to a couple of the other creeks along the mud flats on April 25-28 this year, which was the same time period when the Seymour Canal Herring Fishery

was opening, so it was within herring season, I guess is what I'd say, for a similar stock or from a stock that would be in that proximity. And we did not notice any herring spawn or any herring in Gilbert Bay during that prime period.

But, that doesn't mean to say that they're not there on occasion or periodically and/or whatnot. It's just that it's not a, obviously, a heavy--we could be looking for the Holy Grail of opportunity of very small population if--and we don't even have confirmations. We have anecdotal reports of spawn. I'm sure herring transit through there just like herring will be in the Gastineau Channel. But, yeah.

Ms. Sadie Wright: I think one option is exactly as you just said, drawing an analogy with the closest stock that you have a lot of information for. So, it might be that you develop timing windows associated with what's known about the Seymour Canal herring because that's the next closest stock.

Mr. Duff Mitchell: Okay.

That makes sense. At least we got some--we got a reference or shift from a known point. I have--Cathy, do you have anything further? I had a couple questions.

Ms. Cathy Needham: I think, in terms of comments on the rest of the letter, we were able to address most of them. So, I think--yeah, I think I am done.

Mr. Duff Mitchell: You're good for now?

Ms. Cathy Needham: Um-hmm.

Mr. Duff Mitchell: Okay.

Sadie, Cathy is tasked with doing the wildlife review and she was also dealing with--contracted with us to do some of the tidewater aquatics. And her scope doesn't necessarily go into a BA or a BE, but I heard something that you were saying earlier that that's where you thought or perhaps that this was headed.

And I wanted to maybe understand that a little bit better of what Juneau Hydropower needs to do for you and for National Marine Fisheries and also for the FERC consultation process. So, that as I file a license, I don't leave any stone unturned or--I have--I am just trying to get some clarity in my mind where I need--what tasks that I need to do for you.

Ms. Sadie Wright: I think it seems like you are headed in the right direction. Did I send you a website or document outlining the pieces of information that need to be included in the BA? I can do that.

Mr. Duff Mitchell: I don't recall. Perhaps you did, but I don't recall it. I do have in front of me a template for biological assessments and biological evaluations, and it's dated January 2009.

Ms. Sadie Wright: And does that--let's see, I have a document or I can send you a website that has a bulleted list of the components of a BA. But, basically, it's all of these

things that we're talking about big picture: needing to understand what the action is, what the potential effects of the action are on listed species, any mitigation measures, and potential exposure.

I'm flipping through trying to find the list now. Oh, here it is: description of the action, description of the area that may be affected by the action, description of any listed species or critical habitats that may be affected by the action, description of the manner in which the action may affect any listed species or critical habitat in an analysis of any cumulative effects, any relevant reports, relevant studies or other information available on that action, affected listed species.

So, it's pretty straight forward. Just as much information as we can about the species in the area: what that action is, and how the two things overlap, and the species may be affected. And then, justification for why you think they are or are not going to be affected, and what's being done to minimize that affect. But, I can send you this bulleted list, and those are the primary components that the BA needs to address.

Mr. Duff Mitchell: Okay.

And then, what's the difference between BA and a biological evaluation or are they kind of interchangeable? I am just trying to understand that.

Ms. Sadie Wright: I am not entirely certain. They might be interchangeable.

Ms. Dianne Rodman: Not really. My understanding is that-- well, a BA, as Sadie knows, is what the federal agency, which in this case is the Commission, has to send to either the Fish & Wildlife Service or the National Marine Fisheries Service under section 7 of the Fish & Wildlife Endangered Species Act, okay. But, a biological evaluation is a Forest Service thing. And it is T&E candidate--it's got a broader scope than a BA--.

Ms. Cathy Needham: --Yeah, it has all the--

Ms. Dianne Rodman: --Pardon--?

Ms. Cathy Needham: --It has all the things that they call the management indicator species are under, and all of the things that they have to do in terms of their analysis required by law, under the Tongass Forest Plan.

Ms. Sadie Wright: That makes sense because I have received BEs from the Forest Service that meet all of the requirements for BAs, so we treated them the same, but that makes sense.

Mr. Duff Mitchell: Okay.

But, for our--now I have a better understanding of the difference between BE and BA, and what agency is requiring what. I don't know if we're gonna need a BE for the Forest Service, but it sounds like we're headed toward a BA for National Marine Fisheries Service.

Ms. Cathy Needham: We are conducting a BE for the Forest Service. That's what the wildlife analysis document is--

Mr. Duff Mitchell: --Okay--.

Ms. Cathy Needham: --I wrote it at a BE level.

Mr. Duff Mitchell: Okay, I gotcha.

Thank you for that. Okay, I am just thinking wildlife review because I know Dennis wanted it. So, I'm looking at what agencies need and want.

So, Sadie, if Juneau Hydropower got a jump on looking at a BA, this would be end up being a FERC document going to you, but it may be, in fact, the research and preparation done by Juneau Hydropower. And that is probably gonna be needed somewhere soon or down the line for this process.

Ms. Dianne Rodman: My experience has been that we would send the BA to whichever agency it is, Fish & Wildlife or NMFS, at the same time we issue the draft NEPA document. Because we may have statements in there like, "The project is not going to affect this fish species that the endangered species eats." And we can, therefore, rely on our published NEPA document to provide all that analysis. Whereas in the BA, we can cut it down to a paragraph as opposed to three pages.

So, we generally like to have the draft NEPA analysis to tie in with the BA. And often, we will send NMFS a letter that says, "Our BA consists of sections such and such, such and such,

and such and such, of the draft NEPA document." We don't always do a standalone BA.

Mr. Duff Mitchell: Okay--.

Ms. Cathy Needham: --And my understanding, Dianne, from our last wildlife workgroup meeting, is that a lot of that work or information can be extracted from what we are currently doing with this wildlife analysis document--.

Ms. Dianne Rodman: --Exactly. Commissions staff will dig around for information that you may have missed. We will do our own independent analysis and may come to a different conclusion than you did. But, we will kind of use your information as our skeleton and flesh it out as needed, unless of course you use something totally crazy.

Ms. Cathy Needham: Right. I don't see that happening, actually.

Ms. Dianne Rodman: I hope not--.

Ms. Cathy Needham: --This is why we are working with everybody.

Ms. Dianne Rodman: Yeah, that's true. And--.

Mr. Duff Mitchell: --Okay, well I was just trying to figure out what tasks I need to do. I know I need to give a more detailed proposed action for Cathy. And that's holding her up with the wildlife review. And I wanted to get some clarity before I dived into that. And I think that helped me get some

clarity today. I'm not gonna be able to produce the timing-- well, I can produce--one of the issues and concerns we have with Juneau Hydropower, if we say, "Hey, we are going to lay the cable on May 1," and we don't get our FERC license till--.

Ms. Dianne Rodman: --April 15th.

Mr. Duff Mitchell: April 15th, we have to wait a whole year because we kind of tied ourself into there. So, there may be a preferred window of maybe May 1, but we could also do a secondary of October or maybe October through January, but we just have to be dealing with heavier season waves.

So, there may be other factors why we don't wanna do that, but it may be fine as far as the species--it may be a good timing for the species--I'm just talking out loud here. I don't know the seasons or the timings. I'm just giving for instance.

So, as I write up the proposed action, we want--I'm gonna try to draft this for the flexibility that we're gonna require or need. So, I'm not gonna be able to say, "Hey, we wanna do it between May 15th and June 15th of the year," at least at this initial stage. As we go through the process, there may be some mitigation or there may be some factors that we try to be a little bit more granular.

For our discussion today, is that okay, with the understanding that we may need to get into the more granular later?

Ms. Sadie Wright: I think so, but it could be that I have more detailed questions once I see the level of information you've provided.

Mr. Duff Mitchell: And I think that's fair. That's a fair statement. I understand. I just am trying to keep the flexibility as we go through this process and as we learn more-- we know right now the Seymour Canal herring, for instance, is April--late April, beginning of May. I can see that as something where we're not building the dock or putting pilings in because that could disturb any herring that could be potentially in the area that may be thinking of spawning somewhere in Gilbert Bay or whatnot.

So, we wanna--I have to understand the timing of the species as well, wherever we can. I think Steller sea lions are out there quite often during the year. They may be a little harder to understand their seasonality. But, I think I have some guidance here where I can move on this to help Cathy out.

Mr. John Matkowski: Duff and Sadie, just remember that NMFS is responding to this analysis, and they are going to provide recommendations, I assume, that may give you a window, "This is the window that you can do it." Of course, they have to understand the proposed action, but it's not like you are saying, "Here's where we can work," there will be a response.

Mr. Duff Mitchell: No, I--thank you, John. I understand-- what I guess--we're at the early end of the stage, so I am trying to--our job is to get it built, but like I said, we wanna do it in the most environmentally proactive manner that we can. And so, it's--right now, we're kind of learning it, so to say, whittling it down.

There may be an absolute window where we just--National Marine & Fisheries is gonna say, "This is just really bad timing. You shouldn't do it from here to here," or "You should do it from here to here as a result for certain activities."

So, Sadie, I really appreciate you hooking up with us here and helping us out. I know you are busy and you always invited to be at these wildlife or aquatics meetings.

Ms. Sadie Wright: Thanks, Duff. Yeah, this is a really good use of time. This was a helpful conversation, I think.

Mr. Duff Mitchell: Yeah.

Sadie, we also periodically send crews out to Gilbert Bay. We have a 32-foot Polycraft. It's very nicely outfitted. I would like to extend an invitation to you when we're making one of those runs or to someone from National Marine Fisheries Service, but you. And we can make a jaunt specifically to and around Mist Island, so you can see that firsthand at our expense, to evaluate it--eyes on the ground, so to say. You might--.

Ms. Sadie Wright: --Yeah, it'd be great to see that site and better understand this steep, rocky face that you're talking about.

Mr. Duff Mitchell: Exactly. And then, we're all talking from the same reference of visualization. We extend that to you. If it works out and you are available when we're doing a run, if that is something that you would like to do, I can detail you when we're running out. You may say, "Hey, I'm available this time or not." Maybe keep me informed, and we'll try to do it again some time over the summer season here.

Ms. Sadie Wright: Sounds good, thanks.

Mr. Duff Mitchell: You bet. I don't have anything further. Dianne or John, do you have any comments?

Mr. John Matkowski: You were thinking of just submitting the wildlife analysis rather than a draft BA? Was that the plan? I know it can change, but--.

Mr. Duff Mitchell: Well, from what--I was trying to understand what Dianne was saying earlier that the BA may come from the draft NEPA document. I don't have a problem coming up with some kind of BA outline and try to fill it in with the best known information we have to date. That's outside of Cathy's scope. I'm not gonna--that's not something I've hired Cathy to perform for us.

Mr. John Matkowski: Okay, okay.

Mr. Duff Mitchell: I also don't--based on, I know, Cathy's busy schedule, she may not have time to perform it by the time we need to get it done. So, I don't want to get her cross-wise with a requirement--.

Ms. Cathy Needham: --But, I also want to interject that, in talking with Dennis, the level of analysis that we're doing in the wildlife analysis should meet that criteria. And so, you should be able to use the wildlife analysis for your NEPA, as well as any BA that is prepared.

Mr. John Matkowski: Yeah, that's--yeah--.

Ms. Cathy Needham: --It's basically extracting sections and then, if we didn't actually cover something that needs to be further covered, you can. I wouldn't necessarily recommend preparing--Juneau Hydropower preparing an entirely another document that mimics the same work that we're already doing.

Mr. John Matkowski: Right, okay. Yeah, I just--.

Ms. Dianne Rodman: --And Duff, your draft, your PDEA or whatever you're doing is like Exhibit E, are you gonna have--are you gonna pull the information out of the wildlife report, put it in the bulk of your application, but then have the wildlife report--the whole wildlife report as an appendix maybe? How are you gonna do that?

Mr. Duff Mitchell: I certainly am. In fact, what I'd like to do is take all of our wildlife aquatic studies, every

document that was proposed, and put that in as an Appendix A, Appendix B of our--so everybody has the whole body of information and not just snippets of it in the PDEA.

Ms. Dianne Rodman: Right, yeah.

Mr. Duff Mitchell: We'll snippet into the body of the Exhibit E, but we'll also have it appendesized as well.

Ms. Dianne Rodman: Right, because things come up like, "Well, what time of the year was this specific study done?" And you flip through the appendix and go, "Oh, it was in June 15th." But, that was too much detail to actually put in the body of the EA.

Mr. Duff Mitchell: Right.

No, Dianne, that's a great--we'll go ahead and we're gonna--I'm just making a decision now because that's where I was leading anyways, we'll appendesize every aquatic wildlife, cultural--we'll appendesize every report that we've had produced by contractors into the Preliminary Draft Environmental Assessment.

Ms. Dianne Rodman: Okay, let me think. I'm trying to think how big a document that's gonna be. It doesn't really matter because I just put it on my desktop, but--.

Mr. Duff Mitchell: When I file it with eLibrary, I can file it--the Exhibit E with appendices. It would be--.

Ms. Dianne Rodman: --Yeah, that's right. You can do it as separate files.

Mr. Duff Mitchell: Well, we have 50 megabyte limitation, but--and then for agencies, I can also put it on a CD and send it out when we do do that, so they--.

Ms. Dianne Rodman: --Okay--.

Mr. Duff Mitchell: --Download it as well as have it on a CD.

Ms. Dianne Rodman: Right. Okay, I guess that'll work.

Mr. John Matkowski: Dianne, did you--is--Admiralty Inlet was another one. There was a EA filed--I don't know what stage--.

Ms. Dianne Rodman: --Yeah, but--.

Mr. John Matkowski: --Or where that's at now, but I know they had--it's a Hyrdokinetic project--.

Ms. Dianne Rodman: --They had a cable--.

Mr. John Matkowski: --But, they also had a submerged cable on that--would be West Coast.

Ms. Dianne Rodman: Yeah, let me check real fast on one of our internal databases.

Mr. John Matkowski: I thought they had it, though--.

Ms. Dianne Rodman: --It's one of our planning databases, and see where Admiralty is. It's probably more difficult for you because you're on Citrix.

Mr. John Matkowski: Yeah.

I know it's not Alaska, Duff. But, it might bring you a little closer.

Ms. Dianne Rodman: Yeah.

Okay, Admiralty. Let's see. Main schedule. Okay, what have we got here? If this is complete, did they issue--did they actually issue the FEA on January 18th? Because these numbers look a little funny. Hang on, let me go check something else real fast. January 18th, yeah, Admiralty would be really good. I had thought it wasn't that far along.

Mr. John Matkowski: Yeah.

I have notice of the availability of environmental assessment January 15, 2013--.

Ms. Dianne Rodman: --15th. Okay, yeah. Admiralty is probably really good, although it has a special problem with its cable.

Mr. John Matkowski: That might--I didn't know if it had discussion of EMS and things like that in there, but this one, if they do have similar species, I--who knows where they are in their consultation.

Ms. Dianne Rodman: That's Washington state. It's project 1-2-6-9-0.

Mr. Duff Mitchell: 1-2-6-9-0. Okay.

Ms. Dianne Rodman: Let me take a quick look at that EA. January, 16th--.

Mr. Duff Mitchell: While Dianne is looking that up, John, when we evolve through the consultation or as we file the PDEA, you guys, you and Dianne, will be working with the consultation process with Sadie, is that the personnel that will be working this?

Mr. John Matkowski: Most likely. I can't ever guarantee that, but probably, one of us will be on there, at least one of us. But, I've seen people switched off as just staffing, but someone from the original is usually there. I can't guarantee it.

Ms. Dianne Rodman: Yeah.

Mr. John Matkowski: But--.

Mr. Duff Mitchell: --I understand. And then, Sadie, are you sticking around Nation Marine Fisheries for a while? I mean, I do get turnovers.

Ms. Dianne Rodman: Oh, have you been burned.

Ms. Sadie Wright: I think it'll be me.

Mr. Duff Mitchell: Okay.

Because I just got--yesterday, I got an E-mail from Alaska Department of Natural Resources. The person that's working on our water rights is retiring at the end of the month. And the person that's working on our tideland permits and leases is

retiring after the end of the month. So, I'm having all kinds of agency turnover.

Ms. Sadie Wright: Wow. Who are those two people? Who just retired?

Mr. Duff Mitchell: Ted Deats and Jim Anderson. They are retiring at the end of the month.

Ms. Sadie Wright: Alright, interesting.

Mr. Duff Mitchell: Yeah, it was quite a surprise. I mean, I have all my documents in, but that's who I've been working with.

Mr. John Matkowski: And Jen Harper.

Mr. Duff Mitchell: Yeah, Jen Harper, our lead at FERC is-- she's leaving the FERC?

Mr. John Matkowski: Yeah--.

Ms. Dianne Rodman: --She's left, yeah. Well, she sent you an E-mail, Duff. Didn't she? That we had a surprise farewell party for her?

Mr. Duff Mitchell: Yeah, she says I was roped into her surprise farewell party, yeah.

Ms. Dianne Rodman: Exactly. It was funny. She walked into the conference room fully expecting to see you there.

Mr. Duff Mitchell: Sadie and Cathy, just for your fill-in, I guess Jen was taking leave and you know how you're burning out your leave or whatever before your last day, and they--someone

called her up and said, "Hey, one of your FERC applicants, Juneau Hydropower is down here. They want to meet with you. Can you come in?" And they used me as the bait to get to her to come to the office.

Ms. Dianne Rodman: Yeah, okay.

We do have--oh, yeah--Admiralty is a hydrokinetic project, but it does have a write up on EMF and marine species. Benthic habitat effects--.

Mr. John Matkowski: --Did it have Steller sea lion?

Ms. Dianne Rodman: Let me get to the T&E section. Right now, I'm only at aquatic. This is a big EA, very detailed. Whoops--I just saw something about marine mammals. Marine mammals section. Oh, yeah, it's got decibels. Oh, my, but now what species are we talking about? EFH. Okay, here we go. It's got a lot of fish involved. Okay. Many fish. Yep, Steller sea lions. They are listed here--.

Mr. Duff Mitchell: --Alright, well I will definitely--.

Ms. Dianne Rodman: --And humpback.

Mr. Duff Mitchell: Humpback, too?

Ms. Dianne Rodman: Yeah, uh-huh.

Mr. Duff Mitchell: Great.

Ms. Dianne Rodman: Yeah, this is probably gonna be an interesting--it is a very detailed environmental analysis. This project had some unusual challenges, and it's nowhere near over.

Ms. Cathy Needham: Thanks for thinking of that research, John.

Mr. John Matkowski: No problem. I knew--I mean, I knew there--this isn't the first, so--.

Ms. Cathy Needham: Right.

Mr. John Matkowski: Of course, you wish you could have it for right in your area, but--.

Mr. Duff Mitchell: No, I understand. I appreciate it. Those references are helpful because I want to give Cathy a good proposed action that's more than the generic one we have for her purposes. Yeah, so I'll be able to use these as some sources and kind of delve into that as well to better understand what's being required.

Well, I don't have anything further. Cathy or Sadie, do you have anything that--for the good of the meeting?

Ms. Sadie Wright: I'm doing good. I'm gonna shoot you an E-mail here soon with IHA information and the BA components.

Ms. Dianne Rodman: Okay.

Oh, by the way, Sadie, for your information, we requested a BO from your agency on this Admiralty Inlet on January 22nd, and I'm scrolling through to see if you gave us--if you gave it to us.

Let's see, we have an initiation for a formal consultation letter on February 22nd. No, I don't see any response yet, but

if--when you look at this docket, you'll see that it's got some unusual, as I said, challenges.

Ms. Sadie Wright: So, do you know who from my agency is conducting that consultation?

Ms. Dianne Rodman: Let me look and see who they put on the--February 22nd. There was a PDF file. Whoops, hang on. Let me try it one more time. Apparently, I messed up the--I clicked on the wrong thing, and it disappeared. Okay, here we go. Let's try it one more time. Ken Hatfield in--I guess this--what is this, Seattle?

Ms. Sadie Wright: Ken--?

Ms. Dianne Rodman: --Portland, excuse me, Ken Hatfield in Portland, working for Keith Kirkendall.

Ms. Sadie Wright: And that person is with either habitat or protected resources?

Ms. Dianne Rodman: I would presume protected resources because this has to do--the last line is, "If you have any questions or concerns about this consultation or the consultation process in general, please feel free to contact Ken Hatfield, my staff." And this is from Keith Kirkendall, the chief of the FERC and water diversion branch, the hydropower division. And Ken Hatfield's phone number is 503-231-2315.

Ms. Sadie Wright: And this is a project in Southeast Alaska?

Mr. John Matkowski: No--.

Ms. Dianne Rodman: --No, this is a project in Washington--
off of Washington state.

Ms. Sadie Wright: Oh, I see. Admiralty Inlet in
Washington, that's confusing.

Ms. Dianne Rodman: Okay, so I guess that's about all it
for Admiralty.

Mr. Duff Mitchell: I appreciate it. And I appreciate
everyone's time. I will get working for getting something for
Cathy. And we all have met telephonically. And with any other
further questions or correspondance, we'll just go from there.
But, again, Sadie, thank you very much for time.

Ms. Sadie Wright: Thank you all. Talk to you again soon.

Ms. Cathy Needham: Thanks guys.

Mr. John Matkowski: Thank you.

Ms. Dianne Rodman: Thanks, Duff. Bye.

Mr. John Matkowski: Bye.

Transcription Services Provided By:

eTranscription Solutions, LLC
www.etranscriptionsolutions.org
(740) 385-5994
JHI_062113_900