



MEETING SUMMARY*
BISHOP CREEK HYDROELECTRIC PROJECT
TECHNICAL WORKING GROUP UPDATES
FERC PROJECT NO. 1394

DATE: May 25, 2022, 9:00 a.m. - 1:00 p.m.
LOCATION: Conference Call/Webinar
TOPICS: All Resource Areas

**These meeting notes are documentation of general discussions from the meeting held on the above-noted date. These notes are not a verbatim account of proceedings, are not meeting minutes, and do not represent any final decisions or official documentation for the Project or participating agencies.*

1. OBJECTIVES

- Provide agencies an opportunity to ask clarifying questions on SCE’s proposed PM&Es and management plans.
- Provide agencies an opportunity to describe adjustments and/or alternatives to proposed measures/plans and describe justification.

2. ATTENDEES

Relicensing Team Members

Seth Carr, SCE
Martin Ostendorf, SCE
Matthew Woodhall, SCE
Vince White, SCE
Brandon Kulik, Kleinschmidt
Finlay Anderson, Kleinschmidt
Shannon Luoma, Kleinschmidt
Matthew Harper, Kleinschmidt
Gabriel Martin, Kleinschmidt
Bret Hoffman, Kleinschmidt
Tyler Kreider, Kleinschmidt
Shelly Davis-King, Davis-King & Associates

Technical Working Group Members & Interested Parties

Beth Lawson, CDFW
Alyssa Marquez, CDFW
Savannah Downey, SWRCB
Blake Engelhardt, USFS
Ashley Blythe Haverstock, USFS
Sheila Irons, USFS
Tristan Leong, USFS
Kary Schlick, USFS
Monty Bengochia, Bishop Paiute Tribe

Facilitation Team

Lynn Compas, Historical Research Associates, Inc. Michael Harty, Kearns & West
Edith Read, E Read and Associates, Inc. Maria Bone, Kearns & West
Brad Blood, Psomas
Michael Donovan, Psomas
Allison Rudalevige, Psomas

3. COMPILED ACTION ITEMS

- **SCE** to consider the down-ramping approach proposed by agencies.
- **Kleinschmidt** to share operational constraints. [This information is available in the Sediment Plan].
- **Edith Read** to share the data on botanical height structure across years (i.e., each height class graphed separately, with the x-axis showing the years like the graphs of cover do).
- **Beth Lawson** (CDFW) to send the modeling tool she created to SCE.
 - **Beth and Bret Hoffman** (Kleinschmidt) to communicate on technical details for potential down-ramping approach.
- **Agencies** to share their prioritization of reaches with SCE (i.e., where agencies want to prioritize sediment flows in specific reaches).
- **Agencies** to discuss SCE's proposal for terminating riparian monitoring and share their considerations with SCE.
- **KW** to circulate notes Finlay developed onscreen for a down-ramping approach.
 - *Please note:* The notes are draft and not intended to be an authoritative description of agency positions; they are more reflective of broad talking points and brainstorming.
- **KW** to add 30 minutes to 6/2 Small Group Recreation Discussion meeting.
- **KW/Kleinschmidt** to schedule a meeting in early July to discuss down-ramping approach (after the FLA is submitted).

4. INTRODUCTION

This Protection, Mitigation, and Enhancement (PM&E) Measures meeting focused on all resource areas and provided brief updates on management plan development for the other resource areas; the relevant Bishop Creek Relicensing Team ("Team") resource-area leads addressed the status and schedule of management plans and provided a summary of the PM&E Measures to address project effects. Agencies and the Bishop Paiute Tribe were given the opportunity to provide feedback, ask questions, and discuss potential alternatives to SCE's proposed PM&Es and management plans.

The presentation slides are available on the project website and are not summarized here. The summary below identifies the status updates of each plan as identified by the Team resource-area lead and focuses on questions and comments from participants.

Questions and comments from participants included:

- Question (Q) (USFS): What is the status of the cultural and Tribal reports?
 - Response (R) Relicensing Team (Team): The Team seeks to finalize the reports by August and will likely distribute the reports to the Technical Working Group (TWG) members by mid- to late-June.

Edith Read, Relicensing Team Botanical Lead, provided a presentation on SCE's responses to previous comments made by USFS and CDFW regarding the riparian and botanical resource studies. Botanical data were collected as required by Section 4(e) of the existing license. Black cottonwood (*Populus balsamifera ssp. trichocarpa*) was found throughout the Project area, with abundance increasing upstream. The botanical monitoring studies provided height structure data that was measured at two intervals, which indicate that taller black cottonwoods are less abundant than the shorter trees. Additionally, monitoring identified beaver activity at Reach 2. The full monitoring results can be found in the botanical study reports.

Questions and comments from participants included:

- Comment (C) (CDFW): In reference to Comment 8 and recession rates, CDFW created a tool to identify and quantify recession rates. This tool may be useful for the Relicensing Team to explore.
- (Q) (USFS): Regarding IFIM Reach 5 (monitoring site 4.1), what is the hypothesis for the decline and proliferation of trees over time? What accounts for this variability? Is this the same set of trees over time?
 - (R) (Team): Water level changes can disproportionately affect trees that hug the banks of the channel. As such, in-stream flows can impact the proliferation of trees; thus, some degree of water level stability is needed to stabilize tree growth. Additionally, some degree of yearly variability is natural.
- (C) (USFS): There was a suggestion to restructure the tree height graph so that all heights of trees can be represented with associated years.
 - **[Action]**: Edith will share the data on botanical height structure across years (i.e., each height class graphed separately, with the x-axis showing the years like the graphs of cover do).
- (Q) (USFS): Did SCE collect wildlife data on beavers and their effects?
 - (R) (Team): The data included in the FLA will include the 2009 beaver data. Human activity (e.g., harvesting cottonwoods for firewood) continues to impact beavers.

5. REACH-BY-REACH Q&A

The Parties were invited to ask questions on each reach; questions and comments from participants are summarized below. Please reference the PowerPoint slides for additional information provided by the Team.

Reach #10

Questions and comments from participants included:

- (Q) (CDFW): Please explain why SCE proposes lowering winter flows from 13 cubic feet per second (cfs)? Would this impact the fishery goals?
 - (R) (Team): The fishery goals can be met without impacting the key metrics with fewer flows in the winter. These goals and objectives are included in the stocking plan. There is less recreation demand on fisheries in the winter, so reducing winter flows would present less of an impact on the resource.
- (Q) (USFS): Is it sustainable to make an operational change to the cfs? There are years when the desired in-flow cannot be met, correct? So, would these proposed changes present a significant change to the baseline?

- (R) (Team): SCE believes that decreasing the winter flows may help support a consistent flow year-round.
- (Q) (USFS): What will occur in years when flows drop below 8 cfs? Does this functionally change SCE's operations management?
 - (R) (Team): This change will likely ensure constant flow throughout the season during variable water years. Additionally, this change is not the result of a carryover storage issue (because the lakes are drained each year).
- (Q) (USFS): What will SCE do with the additional 5 cfs in the winter if SCE changes from 13 cfs to 8 cfs flows?
 - (R) (Team): From an operational standpoint, this proposal would provide flexible water management. The Project does not meet the goal of 13 cfs in dry years, so the change to 8 cfs seeks to help meet yearly targets and prevent water from freezing in the winter months.
- (C) (CDFW): CDFW agrees that SCE should avoid low flow situations, and a change to 8 cfs may help avoid low flow situations.
- (Q) (USFS): When will water become available?
 - (R) (Team): The exact date will depend on the year and time of snow melt.
- (Q) (CDFW): Could the additional 5 cfs be used to prevent very low in-flow situations?
 - (R) (Team): Yes, this occurs by default. The Operations Team can run on 8 cfs to maintain the winter flow.
- (Q) (CDFW): What is the valve capacity for Reach 10?
 - (R) (Team): Reach 10 has a 0-75 or 0-100 valve capacity.

Reach # 9

There were no questions or comments from participants.

Reach # 8

Questions and comments from participants included:

- (Q) (USFS): Are the flow measurements accurate for Reaches 8, 9, and 10.
 - (R) (Team): Yes.
- (C) (CDFW): There was a suggestion to more closely mimic the natural hydrograph to avoid sharp drop-offs from spills. For example, CDFW is interested in seeing the impact of higher flows on interconnected meadow systems, which is something that could be monitored in the renewed license.
- (Q) (CDFW): Once spilling has stopped, is the Operations Team able to control it? Does the Operations Team use a control valve in this reach?
 - (R) (Team): All Project reaches maintain control valves. In Reach #8, the valve capacity is 0-300, and adjustments could be made on a weekly basis.

Reach #7 and Reach #6:

There were no questions or comments from participants.

Reach #5:

Questions and comments from participants included:

- (C) (CDFW): Could the down-ramping approach at Reach #5 vary based on the timing of spills? Is there any interest in making a proposal for pulse flows that could down-ramp from spill events? Additionally, could these flows be passed through all reaches?
 - (R) (Team): The Team needs to speak internally on these questions.
- (Q) (USFS): USFS is interested in maintaining volume neutrality. How could this be done operationally and what are the limitations?
 - (R) (Team): The Team needs to speak internally on this question.
- (C) (CDFW): There was a suggestion to increase November pulse flows to 100-200 cfs for several hours to support redd survival.

6. AGENCY CAUCUS

At this time, meeting participants were invited to join a separate Microsoft Teams meeting to caucus separately (i.e., without the SCE Team) for one hour. The meeting participants were asked to discuss prioritization of reaches (i.e., where Parties want to prioritize sediment flows at specific reaches), as well as any additional areas for consideration s.

7. FURTHER QUESTIONS & COUNTER PROPOSALS

After the non-SCE Caucus, the Team provided additional clarifications on the relicensing process and the type of information that the Team is hoping to gain. SCE shared its perspective that progress has been made in conceptualizing the agencies' proposals to date. SCE is seeking clarifications on remaining issues. For example, regarding the Ramping Intercept Table Approach, agencies' requests around gravel disruption and redds disruption are solvable, but the SCE Team needs additional specificity around the desired ramping rates. SCE is seeking further clarifications in order to understand the desired outcome as well as understand the priority reaches. The Team proposes to continue working sessions after the FLA is filed to understand these issues.

Questions and comments from participants included:

- (C) (USFS): The agencies have begun discussing the reach priorities and aim to focus discussions on reaches 1-6. At this time, agencies are interested in discussing opportunities for riparian growth and recruitment, as well as opportunities for trout and fish growth.
 - (C) (CDFW): There was a suggestion to examine pulse flows and use pulse flows to support the ecosystem.
- (C) (Team): During peak flow years, the Operations Team uses a peak event to mobilize sediment; however, there is a concern over using more water over an extended period.
 - (R) (USFS): There was a suggestion to use modeling to analyze any concerns. For example, additional modeling may be able to predict how low flows in the winter impact operations. The agencies would like to receive additional information on SCE's operational constraints.
- (C) (CDFW): There was a suggestion to discuss specifics regarding reservoir storage. For example, the existing spill events meet the geomorphic intent of SCE's proposal, so perhaps SCE could use opportunistic flows to improve riparian conditions.

- (R) (Team): Moving sediment requires 200 cfs, which may cause a generational impact. This may not be viable from an operational standpoint, but SCE wants to work with the agencies to find collaborative, mutually beneficial solutions.
- (C) (USFS): There was a suggestion for SCE to file a supplement to the FLA. USFS will continue to join discussions to reach a preferred agreement.
 - (C) (CDFW): FERC will likely accept an extension if all agencies tell FERC that an agreement will be reached with an additional 1-3 months to discuss proposals.
- (C) (CDFW): CDFW would like to discuss the upstream reaches again to understand SCE's operational constraints.
- (C) (Team): There was a suggestion for agencies to provide a joint list of priority reaches to reconcile prior requests.

The Relicensing Team thanked participants for their continued engagement and adjourned the meeting.