

Memorandum

To: Wells, Rocky Reach, and Rock Island HCP Hatchery Committees, and Priest Rapids Coordinating Committee Hatchery Subcommittee Date: July 20, 2022

From: Tracy Hillman, HCP Hatchery Committees Chairman and PRCC Hatchery Subcommittee Facilitator

cc: Larissa Rohrbach, Anchor QEA, LLC

Re: Final Minutes of the June 6, 2022, HCP Hatchery Committees and PRCC Hatchery Subcommittee Meetings

A special meeting of the Wells, Rocky Reach, and Rock Island Hydroelectric Projects Habitat Conservation Plan Hatchery Committees (HCP-HCs) and Priest Rapids Coordinating Committee's Hatchery Subcommittee (PRCC HSC) was held by conference call and web-share, on Monday, June 6, 2022, from 2:00 p.m. to 4:10 p.m. Attendees are listed in Attachment A to these meeting minutes.

I. Welcome

A. Agenda, Announcements

Larissa Rohrbach welcomed the HCP-HCs and PRCC HSC and read the list of attendees (Attachment A). All HCP-HCs and PRCC HSC representatives that were present approved the agenda with no changes.

The focus of today's meeting was progress on recalculation implementation plans. Previous meeting minutes and action items will be reviewed in the next regular meeting of the HCP-HCs and PRCC HSC.

II. Joint HCP-HC and PRCC HSC

A. Hatchery Production Recalculation: Draft Implementation Plan Discussion

Mike Tonseth shared the key components of the Joint Fisheries Parties (JFP) proposed amendments to the PUDs' recalculation implementation plans. The JFP's proposed amendments were originally distributed on Friday, May 27, 2022 (Attachment B). Tonseth noted that he has had additional conversations with some of the PUDs subsequent to issuing the JFP's response.

The PUD's specific responses to the JFP's proposed amendments were discussed, from upstream to downstream along the Columbia River system.

Douglas PUD

Tom Kahler noted that Douglas PUD representatives have read through the JFP's proposed amendments and have had internal discussions. Kahler said he is hoping to have the opportunity to talk to individual JFP members but has not had time to reach out to each member yet. Kahler noted he is particularly hoping to talk to Bill Gale regarding Methow steelhead.

Kahler noted that the suggestion to rear and release summer Chinook Salmon (approximately 35,000 yearlings) at the Carlton Acclimation Facility for release into the Methow River rather than directly released into the Columbia River is not palatable to Douglas PUD. For various reasons, there are a lot of difficulties for Douglas PUD and for the fish biologically. Kahler said he would prefer to defer the discussion today to allow conversations around additional ideas to happen offline. Tonseth said he had a conversation with Greg Mackey last week who also indicated he was trying to reach out to individual members. Tonseth asked if it would be useful to have a Wells Hatchery Committee meeting between now and the Joint Meeting on June 15, 2022, or to have those individual conversations on the regularly scheduled meeting day. Individually scheduled HC and HSC meetings could be set up with a block of time for each committee. Kahler said they would consider the idea. Part of the interest in individual conversations is the time it takes to walk through various details and the joint meeting atmosphere can inhibit the ability to talk through those details.

Kirk Truscott noted he is available through Thursday, then unavailable through June 29. Gale asked if there will be a CTCR representative at the June 15 meeting? Truscott said no, bringing Casey Baldwin up to speed on all that has transpired and the intricacies of the JFP's proposed amendments is a lot to ask.

Chelan PUD

Catherine Willard said Chelan PUD had no additional comments or questions for the JFP; their suggested amendments for Chelan PUD's programs are straightforward. Willard noted that Chelan PUD had allocated the Methow spring Chinook Salmon smolts calculated for Rock Island project mortality to the Chiwawa Fish Hatchery. The JFP have suggested allocating those all to the Methow Hatchery to be final acclimated in the Chewuch Acclimation Pond. The approximately 43,000 Lake Wenatchee Sockeye Salmon that were up for a species swap were divvied up between Chiwawa spring Chinook Salmon and Dryden Pond summer Chinook Salmon with a couple thousand summer Chinook Salmon at Chelan Falls. Finally, the steelhead inundation mitigation production¹ was added to the Wenatchee steelhead program at the Chiwawa Hatchery.

¹ In meeting minutes, "inundation mitigation production" refers to production by one PUD to mitigate for its projects' impacts on hatchery fish produced by another PUD as mitigation for inundation of the mainstem Columbia River.

Grant PUD

Grant PUD submitted a counterproposal, distributed the morning of the meeting (June 6, 2022; Attachments C and D).

Todd Pearsons said he has no questions about the JFP's response to Grant PUD's original proposal, noting that he has spoken to most of the JFP members about it. One clarification requested was whether the number of spring Chinook Salmon proposed for Nason included 125,000 fish for the conservation program with the remainder allocated to the safety-net program. Tonseth confirmed that is correct.

Pearsons described the main elements of Grant PUD's counterproposal. Grant PUD acknowledged that the JFP is particularly interested in Option 3 (the high-end of the range in the sensitivity analysis) for summer Chinook Salmon production so Grant PUD has adopted this number for summer Chinook Salmon. To be consistent with the overall approach in the 2013 recalculation (Options 1, 2, and 3 spread across the different taxa), Grant PUD adjusted the number of spring Chinook Salmon to the mid-point of the sensitivity analysis (which was originally the approach that was used for the summer Chinook in the GPUD proposal), which was approximately a 20,000-fish reduction relative to the top-end of the range in the sensitivity analysis. This results in a total of 391,000 fish. Based on the discussion in previous meetings, there was a strong interest in in-place, in-kind mitigation, so Grant PUD has done that for spring Chinook in this version, resulting in 208,377 Nason spring Chinook Salmon and 73,532 Methow spring Chinook Salmon. The steelhead was essentially the same as the original proposal of 100,000 fish, with a species swap with an additional 7,307, which is essentially Option 1 of the sensitivity analysis, and those fish were allocated to Carlton Acclimation Facility. Fall Chinook Salmon numbers remain unchanged. An Excel worksheet was sent along with Grant PUD's counter proposal (Attachment D) showing the different iterations of this discussion; Grant PUD's original proposal for 2023, results of Grant PUD's 2013 recalculation, the JFP's suggested amendments, and the latest counterproposal offered today. The notes adjacent to the table are unchanged.

Tonseth thanked Pearsons for reviewing the materials. Tonseth noted he is still puzzled by the inherent lack of inclusion of unavoidable project mortality (UPM) for inundation mitigation production. While the sensitivity analysis of the original recalculation analysis (for 2013) was to look at the high, medium, and low range of possibilities to ensure the various programs and obligations could fit into existing facilities, this time there exists infrastructure capacity that didn't exist then. In reviewing the Priest Rapids Salmon and Steelhead Settlement Agreement (Settlement Agreement), in Section 7, No Net Impact (NNI) is defined as "the condition whereby the project does not produce unmitigated project-related mortality." Tonseth said the challenge is in how that is being interpreted, and the assumption that some juvenile fish being killed at the Priest Rapids project are not subject to replacement. Even Grant PUD's own survival studies indicate that the project kills steelhead and summer Chinook Salmon. It shouldn't matter the origin of the fish that are being impacted; it's the

full intent of the Settlement Agreement that those impacts be fully mitigated. Tonseth said he sees a lack of achieving full NNI with what Grant PUD originally proposed, and with what is included in the counterproposal. The amendments the JFP made were intended to ensure Grant PUD achieves and maintains that NNI for this next 10-year period.

Pearsons said he appreciates the question about interpretation. There are different ways of interpreting the documents we have. Pearsons said he doesn't agree with the concept that the NNI production is driven by the amount of hatchery capacity. Grant PUD was in the middle of building facilities during the last recalculation. There were opportunities to have more fish at Nason Acclimation Facility, Carlton Acclimation Facility, or Priest Rapids Hatchery. Pearsons said he also doesn't agree that the last recalculation didn't include full NNI. The SOA from the last recalculation² (the production objectives SOA for Grant PUD, finalized in 2012) states that the PRCC HSC approves the adjusted NNI hatchery compensation for spring Chinook Salmon, steelhead, and so on. There wasn't anything stated in that 2012 SOA that the number of fish was lower than NNI, and that the number was lower because there wasn't any space for those fish. Pearsons said he doesn't see any reason to move away from the approach used in the last recalculation, which was essentially a compromise position that reflected different organization's interpretations about what NNI represents. That was also reflected in the recalculation methods SOA signed in 2021³, which says, "There is no consensus on which hatchery programs are subject to NNI, however a sensitivity analysis or some other method that is agreed upon by Members will be used to calculate final mitigation numbers to address the lack of consensus on which hatchery programs are subject NNI."

Pearsons said one of the main places where there was disagreement in the last recalculation and the current recalculation is whether mitigation is necessary for inundation production by other PUDs. That being said, Grant PUD has agreed from a numbers perspective to include numbers for summer Chinook Salmon inundation. The difference between Grant PUD's proposal and the JFP's proposal is that we would not do that for steelhead. Pearsons said, for steelhead, NMFS' 2008 Biological Opinion⁴ (BiOp) on page 31 says, "Production of 100,000 steelhead juveniles and 600,000 juvenile spring-run Chinook Salmon by Grant PUD is required under NMFS 2004. NMFS finds that these artificial propagation programs are necessary to prevent extinction and immediately bolster numbers in these systems. It is important to note that these are maximum production numbers which may be adjusted downward if determined appropriate by the PRCC HSC." Option 1 of Grant PUD's sensitivity analysis for the numbers of steelhead is very close to that limit of 100,000 fish. Option 3 at the high end of the first recalculation was 196,007 and in the current sensitivity analysis it is 172,000, showing that by including mitigation for inundation the total increases well above the 100,000-fish limit. This

² SOA 2012-01 Priest Rapids Coordinating Committee Hatchery Sub-Committee Statement of Agreement: Grant PUD Hatchery Production Objectives, Release Years 2013-2023. Approved by PRCC HSC on December 5, 2011.

³ SOA 2021-05 Priest Rapids Coordinating Committee Hatchery Sub-Committee Statement of Agreement on Methods for 2023 NNI Hatchery Recalculation.

⁴ National Marine Fisheries Service Biological Opinion for the Priest Rapids Hydroelectric Project, FERC No. 2114 (NMFS Consultation No. 2006/01457).

limit is also mentioned in the Settlement Agreement. In addition, originally, the steelhead inundation mitigation production for Douglas PUD was for Mountain Whitefish mitigation, and Grant PUD would not have had much to do with mitigation for Mountain Whitefish in the vicinity of the Wells Project, once again adding to the uncertainty around mitigating for steelhead.⁵

Pearsons said he hoped the members can respect that the different parties may have different interpretations of the language around NNI in the different documents, and that's one of the reasons for the sensitivity analysis in 2011, and why this was reflected in the more recent methods SOA in 2021. The 2013 implementation plan did not include inundation mitigation production for steelhead or summer Chinook Salmon. Any plan or SOA from Grant PUD would include language stating that this was not a pre-decisional statement about mitigation for inundation. Grant PUD would need a statement that this does not set a precedent. There will be a conversation later amongst the PRCC Policy Committee to nail down what programs are included in NNI.

Tonseth thanked Pearsons and noted there are a number of statements with which WDFW does not agree. There are 465,000 inundation steelhead being produced in the upper Columbia by Douglas and Chelan PUDs. Based on Grant PUD's own survival studies, they kill 12.7% of all steelhead encountering the project. Tonseth asked Pearsons if he is inferring that simply because those steelhead are part of an inundation program that belong to other PUDs that Grant PUD has no responsibility in replacing those smolts that are killed from those programs? Pearsons answered that he has tried to explain why there is uncertainty and why Grant PUD would not be mitigating for all the inundation mitigation production upstream of Grant PUD's project area. There was a difference in interpretation reflected in the 2013 recalculation and in this current recalculation as well. Tonseth pointed out the 2013 recalculation implementation plan was only a 10-year agreement that would not define how we reach agreement in the next 10-year recalculation period. Pearsons said he understood this, but throughout the process there's been a lot of harkening back to what we did for 2013, including looking at the proportional distribution of where the fish were put in the last recalculation and applying that to SARs. These topics will be taken up by the PRCC Policy Committee at some point in the future, which hopefully will set the stage for what happens in the future.

Keely Murdoch said, after looking at the agreements a bit closer, it's actually true that the HCPs do not have a legal definition for NNI. However, the Settlement Agreement actually does define NNI. It's in the definitions section, and it says, "No Net Impact refers to the condition whereby the project does not produce unmitigated project-related mortality of covered species." This is consistent with the way the BAMP formula works. Obviously, we deviated from that a little bit from the last

⁵ Tom Kahler subsequently reviewed past agreements dating back to the 1980s and determined that it is inaccurate to state that the any component of the mitigation for inundation effects on steelhead takes the place of previous agreements to mitigate for Mountain Whitefish. The connection between steelhead inundation mitigation and Mountain Whitefish mitigation in past agreements is complex and unclear. The Wells Settlement Agreement of 1990 determined the current numbers for steelhead mitigation, which were incorporated into the HCP, which is the mitigation production Douglas PUD has agreed to.

recalculation, but that BAMP formula was how we've calculated the initial mitigation under the HCP and the Settlement Agreement, where you are mitigating for every fish that goes over your project, which included all of the Chelan and Douglas PUDs' inundation mitigation production. The Settlement Agreement is blind to fish origin, and survival studies are done with run-of-the-river fish, because the survival value applies to all fish migrating past the project, which includes inundation fish. A minimum of 93% project survival per project, and maximum of 7% UMP, applies to all fish, including inundation fish. Murdoch said we would never say that inundation fish are exempt from those survival standards, and therefore they're not exempt from the UPM. Thus, if you are not mitigating for them, you do have unmitigated project related mortality as defined in the Settlement Agreement. Murdoch said she recognizes that 10 years ago, the PRCC HSC agreed to let Grant PUD's production for those fish go unmitigated for 10 years. This is all the more reason to mitigate for those fish this time because they've gone unmitigated now for 20 years. Despite what the PRCC HSC agreed to last time, the Yakima Nation (YN) does not view the calculation of NNI as a low, medium, and high negotiation. The goal has always been to get to NNI, which is well-defined in the Settlement Agreement. Even if Grant PUD mitigates for inundation mitigation production, there's technically still UPM that the PRCC Policy Committee needs to talk about, including the Chief Joseph Hatchery program. Regarding the steelhead, the 2008 BiOp does limit you to 100,000 steelhead but the Settlement Agreement still requires you to mitigate for NNI, which is why the JFP proposed a species swap. Regarding the Douglas PUD inundation program, which you refer to as Mountain Whitefish mitigation, really doesn't provide uncertainty for us; it was steelhead when the Settlement Agreement was signed, and it didn't exempt them⁵.

Pearsons asked Murdoch if there is any possibility that one could interpret the Settlement Agreement and various SOAs in a different way than what she described. Murdoch said since reading that sentence defining NNI, she had not felt there was any ambiguity. The HCP doesn't offer a definition of NNI. The YN has always pushed for mitigating for everything passing over Grant PUD's projects. The definition is clear that NNI refers to the condition that the project does not produce any "unmitigated project-related mortality." If there is unmitigated project-related mortality, the program is not achieving NNI.

Pearsons said the key to this is the statement "unmitigated project-related mortality." How that is implemented can be interpreted in many ways, which was recognized in the past recalculation and again for this recalculation captured in the 2021 methods SOA. Grant PUD generated a proposal, then received a response from the JFP that chose Option 3 (the top of the high, medium, and low options) for all species, and that doesn't really reflect the sensitivity analysis that was envisioned in the 2021 methods SOA. It seems like the JFP proposal is a "take it or leave it" response. Grant PUD was hoping that by offering a counterproposal that makes the summer Chinook Salmon the most important, this would be a compromise within the values of the sensitivity analysis. Pearsons asked the JFP if there is any room for compromise within the values provided by the sensitivity analysis. If

the JFP are set on Option 3 for all species, then it may not be useful to continue to talk only to reiterate our positions on this.

Murdoch said the spring Chinook Salmon mitigation was reduced, and there wasn't even any inundation program for spring Chinook Salmon, yet you still reduced it to something less than NNI. The goal is to get to NNI, which signals that Grant PUD only cares about getting to a compromise position and does not care about meeting NNI with their proposal. With spring Chinook Salmon, there was never any question about what NNI means. The YN in 2013 agreed to a 10-year mitigation agreement that was a compromise because we had nowhere to put the fish even if we wanted to push for NNI. At that point, we felt it was a win to get some summer Chinook Salmon production, but the goal has always been to get Grant PUD to NNI since signing the Settlement Agreement. It's understood that Grant PUD increased summer Chinook Salmon production, but it's unlikely the YN would agree to reducing spring Chinook Salmon production, which was not even a controversial program. If that is Grant PUD's proposal, then this is probably not going to move forward with the YN and the next step should be to go to the PRCC Policy Committee.

Pearsons clarified that Grant PUD does not agree that there was not enough space to allocate fish in 2013. Grant PUD was in the process of building and designing facilities. There was room at the Nason Creek Acclimation Facility, Carlton Pond (Acclimation Facility), and Priest Rapids Hatchery. Pearsons said he can understand how people's thinking can change over a 10-year period, but he also does not agree that the number agreed to in the last recalculation was not full NNI. The implementation agreement that all parties signed on to was mitigation for NNI for the next 10-year period. The purpose of the 2012 production objectives SOA was to indicate what NNI was going to be for the next 10 years. Why the spring Chinook Salmon mitigation went down in Grant PUD's counterproposal is explained in the text of the counterproposal (Attachment C) and notes in the spreadsheet distributed today (Attachment D). Grant PUD is proposing to use the mid-point for spring Chinook Salmon production instead of the mid-point (higher than Option 2) for summer Chinook Salmon production representing a compromise position because of the uncertainty associated with NNI.

Gale reiterated that the conversations had in 2013 came to an agreement but indicated in the notes and SOAs that it wasn't to be viewed as precedent setting agreement. It was recognized that there was disagreement with the NNI definitions. Gale said he is wishing now that these questions would have been pushed to the PRCC Policy Committee back then to resolve these issues before reinitiating recalculation again. That was a failure by this group at that time. There may not be the appetite at this point to agree to disagree on something that at some level the PRCC Policy Committee needs to weigh in on. We do ourselves a disservice by punting these disagreements every 10 years. Gale said he is willing to talk to committee members, but he still firmly believes that fish being produced for inundation mitigation production are part of NNI. Gale said he does think that Grant PUD was

meeting their mitigation obligation over the past 10 years. All PRCC HSC members made an agreement, but we also agreed it was not precedent setting.

Pearsons agreed with Gale on the point that the definition of NNI should have been addressed 10 years ago. Pearsons agreed there was language requested by the YN in the 2012 production SOA about the approach not setting a precedent. The SOA did not require the committees to use the same approach in the future, and yet many elements of the 2013 recalculation methodology were adopted in the 2021 methods SOA. In 2013, it was very clear that there was not agreement on which hatcheries were included in NNI mitigation and which were not.

Truscott said that yes, in the 2021 methods SOA, the committees agreed to try to use some of the same methodologies, but what the committees did not agree to is the same outcome. It was agreed to use the sensitivity analysis, but sticking with the low/medium/high level of mitigation was not agreed to. The definition of NNI was not agreed to. Now, the JFP have landed on Option 3 as the closest option to meeting NNI and Grant PUD has not landed on that. In 2013, it was the first recalculation. Not a lot had been done to mitigate for the summer Chinook Salmon and steelhead and what has been mitigated since 2013 is not full NNI.

Pearsons said Grant PUD was building facilities in 2013 and the sizing of those programs was approved by the PRCC HSC. If there was an expectation at that time that Grant PUD should be mitigating for inundation, that would have been the time to raise that issue. Pearsons said he does not agree with the logic that mitigation for inundation was not included because there was a lack of space. For instance, if there was not agreement on full mitigation, why would there have been an agreement that would limit the sizing for Nason Acclimation Facility? In the implementation of the 2013 recalculation there were some footnotes about the sizing of the Nason Acclimation Facility, and it was the recalculated mitigation levels that drove the sizing of the facilities. Truscott said he does not know which came first, but in the development of the inundation mitigation production planning, the PUDs responses at that time were no, that they would not mitigate for inundation mitigation production. For Nason Acclimation Facility and Carlton Acclimation Facility, the PRCC HSC were wringing their hands for how to make the production numbers that were less than NNI work at both sites because both sites had issues. The facilities were not up-sized to take on the inundation mitigation production. It didn't matter at that time because Grant PUD and Chelan PUD at that point had said they would not mitigate for inundation mitigation production and that's where it landed. This time around, the JFP is saying that's not ok.

Pearsons said there is uncertainty around which hatcheries are in and which are out for calculating NNI. The response from the JFP is that Option 3 should be chosen for all species, which does not address the uncertainty in the process. Truscott said some parties believe there is uncertainty with the process, while others do not. Responding whether there is room to negotiate from Grant PUD's most recent counterproposal, CTCR will not support no mitigation for steelhead inundation. If there's

some discussion to be had on mitigation for inundation for steelhead, there may be room to continue talking. Pearsons read the notes in the 2021 methods SOA, "Presently there is no consensus on what programs are subject to NNI..." Grant PUD went into this process with the idea that if there was consensus on what programs should be included in NNI, there wouldn't be a need for a sensitivity analysis to deal with uncertainty.

Farman addressed specifically the connotation of the 2008 BiOp numbers and maximum permitted production. Regarding steelhead, there may not be disagreement with that particular number, taking that as a policy statement that goes from here on out is not how it should be interpreted. That would have been the agreement at the time, and this is what's permitted for that BiOp, but that is totally disconnected from what NNI may mean in the future. Farman said he does not think the Settlement Agreement has a lot of room for interpretation. There are two pieces to the concept of having disagreement on what NNI means. First, there is a difference between whether or not one accounts for all project mortality and reach NNI, and second how you calculate it. We are getting hung up in meshing those two things together. There are different ways you can calculate that, but I don't think there is any ambiguity in that mitigation for NNI has to include all project mortality and I don't see how that can be interpreted differently. It's not an option just to say we are going to negotiate and leave that unmitigated portion out. The concept of this as a negotiation, from my perspective, is that we are discussing and trying to come to the number that is the floor, what is the minimum that is required to reach NNI. It's not a wish list or a chance to shoot for the moon, it is defining the floor of what we think NNI is. From a policy perspective, I don't understand lowering that floor to meet somewhere in the middle. We are in good faith trying to find that floor. I wouldn't say whether that means it's a take it or leave it proposal. How we meet that in terms of species swaps or releasing fish in different locations is what is still negotiable, but leaving mitigation and project mortality out is not something that is negotiable. Pearsons asked Farman about the 2008 BiOp, which says it's "important to note that these are maximum productions that can be adjusted downward if determined appropriate by the PRCC HSC..." There is no shelf life to that perspective. Pearsons asked do you see anything or are aware of anything that indicates there is a shelf-life to that 100,000? Farman said he is not aware of anything written in the 2008 BiOp that gives a shelf life to that, but anything in a BiOp is always contingent on what the effects to the species are, what new information indicates, and if we have new information that suggests that needs to be different. I don't know the history of that particular statement. For me, when a BiOp is written, it isn't necessarily always static because it's always contingent on what the effects to the species are. In this case, the writers of the BiOp may have assumed that NNI might bring that down and that's why it was written that way. If we were to reinitiate consultation, we would go back and review that. Farman said, personally, I never assume that a BiOp is completely static unless a program never changes, the effects never change, and species status never changes, which we know is not how it works. Pearsons said I don't see any place in the 2008 BiOp that has a shelf life to that, and it might be worthwhile to see if there's more

information about that statement because it's a NMFS document so it would be useful to have an understanding of that.

Murdoch said the YN has always held that the inundation mitigation production needs to be included and the NNI fish have to be included and the 2021 methods SOA acknowledged that Grant PUD did not agree with that. Murdoch said, to be explicitly clear, there was no pre-decision about what option from the sensitivity analysis would be selected. When agreeing to that 2021 methods SOA, there was a lot of uncertainty about what the results would be. If, hypothetically, Grant PUD's production obligation actually went up, we probably would not be accepting Option 3. We would be accepting a lower number unless we would be asking for more facilities to be built. Murdoch said she sees that as a win for YN, and as a win for Grant PUD and all the signatories to the Settlement Agreement. The goal has always been getting to NNI. Regarding facilities, Murdoch said she agrees with Truscott, Nason Creek Acclimation Site was constructed with the last recalculated production numbers in mind but required that Grant PUD construct it with a larger footprint in case numbers went up in the future, and so it does have the capacity to expand if needed. This was not done at Carlton Acclimation Site. When talking about making Carlton Acclimation Site an overwintering facility there were a lot of problems with that, which may have been a reason why the committees landed on 200,000 fish. That is no longer an issue. At this time, we can realize something much closer to NNI with existing facilities during this recalculation.

Pearsons asked that if in a future recalculation, if the numbers were substantially higher, then there would be consideration about selecting a different option in the sensitivity analysis with use of existing facilities. Is there some way of being able to capture that use of existing facilities in the language in this recalculation to reflect the difference between the different 10-year recalculation periods? That's a concern for precedent setting in this process because it can result in new facility builds. Murdoch clarified that she is not saying the PUDs would never have to build new facilities. Hypothetically, if mitigation increased only a small amount (10,000 to 20,000 fish) over the facility capacity, maybe there would be some leniency there. Perhaps if there was a temporary increase in production needed for mitigation, we would have to accept something less than NNI temporarily. If the mitigation went up significantly, there would be a need to consider building facilities. Reading the old agreements (the BAMP and the Settlement Agreement), there is consideration for building new facilities. Pearsons said, for example, for the Nason Creek program, Grant PUD was not able to obtain enough broodstock by tangle netting to fill that facility and what the JFP wanted Grant PUD to do was to backfill the Chiwawa program to make up for the rest of the mitigation. Murdoch said that was different. You were broodstock limited, not facility limited. Pearsons agreed that was true.

Tonseth said we should be cautious about predicting what future 10-year periods might bring. He agreed that the Settlement Agreement and the BAMP all anticipated the potential for production obligations to go up, but in fact they've remained flat or gone down thus far, but we are only 20 years in. There are too many variables to predict what the next 10-year period may bring. That

being said, regarding the 100,000 steelhead, it is clear that the Settlement Agreement does cap steelhead production, but just because there is a production cap does not mean you have met NNI for that species. It just limits the programs from producing a particular number of fish in a particular location, for instance in the Okanogan. That is one reason why the JFP crafted the amendments to Grant PUD's implementation plan. We took the mitigation for inundation and converted it to species swaps above that production cap. I think from a technical perspective, the PRCC HSC may have taken this discussion as far as we can. Our time may be better served by framing questions for the PRCC Policy Committee. Because there are differences of interpretation of the definition of NNI, the technical level is not necessarily where those interpretations will be resolved. Tonseth said he is not comfortable with the term "counterproposal" and prefers the term "alternatives." Perhaps between now and the PRCC HSC meeting next week, we all give some thought to the questions we need to ask the PRCC Policy Committee. There is a need to make sure we are following process to take this to the PRCC before going to the PRCC Policy Committee.

Gale supported Mike's suggestion. Gale asked Grant PUD to think about or provide an explanation as to why inundation mitigation production fish would not constitute a portion of the NNI. He prefers the explanation not include because that is the way it was done before or because of limitations in the BiOp. Grant PUD has not made it clear why inundation mitigation production fish should not be included in NNI. Gale suggested that Rohrbach and Hillman, as neutral parties, produce a first draft of questions for the PRCC and PRCC Policy Committee. They agreed to prepare draft questions.

Pearsons asked if there will be a JFP response to Grant PUD's counterproposal? Gale said he is trying to suggest a higher-level policy-level description for why inundation is not included in NNI. It would be useful to get that level of philosophical response from Grant PUD. Gale said it's likely that the JFP will need to get together to discuss Grant PUD's counterproposal before deciding if we want to provide a response. Tonseth agreed and said his opinion is that the JFP does need to provide a written response back to document why we can't accept the alternatives Grant PUD has provided. In addition, we need to move forward with identifying questions for the PRCC Policy Committee.

Kahler said that for Douglas PUD, he is optimistic and interested in the idea of having individual meetings for the specific committees. Kahler said he would like to have the conversations with individuals and is hopeful that Douglas PUD and the JFP are not very far apart.

Willard said Chelan PUD is in agreement with the latest JFP proposal and is ready to ink the latest JFP version of the implementation plan. Chelan PUD would like to move forward with this year's broodstock collection. Chelan PUD will prepare a new SOA in association with the most recent implementation plan for making a decision on June 15 or soon thereafter.

III. Administrative Items

A. Next Meetings

Douglas PUD's auditorium in East Wenatchee has been reserved for the next three in-person meetings. Meeting attendees should be prepared to wear masks, as needed.

The next HCP-HCs and PRCC HSC meetings will be held on Wednesday, June 15, 2022; Wednesday, July 20, 2022, and Wednesday, August 17, 2022. Meetings will be held in person at Douglas PUD's East Wenatchee Auditorium and on Webex.

IV. List of Attachments

Attachment A List of Attendees

Attachment B *05/27/22 - JFP Proposed Amendments to Chelan, Douglas, and Grant PUDs
Recalculation Implementation Plans*

Attachment C Grant PUD's Counterproposal to the JFP 5/27/2022 Counterproposal

Attachment D Revised Recalculated Production for Grant PUD - 6/6/2022 Counterproposal

**Attachment A
List of Attendees**

Name	Organization
Larissa Rohrbach	Anchor QEA, LLC
Tracy Hillman	BioAnalysts, Inc.
Catherine Willard*	Chelan PUD
Scott Hopkins*	Chelan PUD
Kirk Truscott*‡	Confederated Tribes of the Colville Reservation
Shane Bickford	Douglas PUD
Andrew Gingerich	Douglas PUD
Tom Kahler*	Douglas PUD
Rod O'Connor	Grant PUD
Deanne Pavlik-Kunkel	Grant PUD
Todd Pearsons‡	Grant PUD
Tim Taylor	Grant PUD
Brett Farman*‡	National Marine Fisheries Service
Matt Cooper*‡	U.S. Fish and Wildlife Service
Bill Gale*‡	U.S. Fish and Wildlife Service
Katy Shelby	Washington Department of Fish and Wildlife
Mike Tonseth*‡	Washington Department of Fish and Wildlife
Keely Murdoch*‡	Yakama Nation

Notes:

* Denotes HCP-HCs member or alternate

‡ Denotes PRCC HSC member or alternate

Attachment B
***05/27/22 - JFP Proposed Amendments to Chelan, Douglas, and Grant PUDs Recalculation
Implementation Plans***

05/27/22 - JFP Proposed Amendments to Chelan, Douglas, and Grant PUDs Recalculation Implementation Plans

This Joint Fisheries Parties (JFP) proposed No Net Impact (NNI) Recalculation Implementation Plan (RIP) seeks to amend earlier Implementation Plans proposed by Chelan, Douglas and Grant PUDs and includes JFP management priorities and considerations for production of individual plan species among upper Columbia subbasins.

The basis of this Implementation Plan is to ensure full NNI is achieved and maintained over the next 10-year production period (2024-2033 releases) consistent with the Wells, Rocky Reach, and Rock Island Habitat Conservation Plans (HCPs) and the Priest Rapids Project Salmon and Steelhead Settlement Agreement (SSSA). This proposed plan strives to balance achieving and maintaining NNI, management needs/objectives of the co-managers for each plan species, and cost-share agreements which may exist between the PUDs and one or more co-manager. The structure of this implementation plan allows for full NNI to be achieved within existing hatchery facilities.

Spring Chinook

Okanogan Subbasin

Under this proposed plan, Chelan, Douglas, and Grant spring Chinook (SPC) production cost-share agreements with the CCT for the Okanogan Basin would remain as proposed in the each of the respective PUD RIPs.

Methow Subbasin

Under this proposed plan, Douglas PUDs SPC production for the Methow Subbasin would remain as proposed in the DPUD RIP.

Under this proposed plan, Chelan PUD SPC production for the Methow Subbasin would be 61,000 smolts at Methow Hatchery (this is near CPUDs current Methow SPC production obligation of 60,516 smolts). The balance of CPUDs Methow SPC NNI (16,617 smolts) would be incorporated into CPUDs Chiwawa SPC program.

Under this proposed plan, Grant PUDs SPC production for the Methow Subbasin would be 140,083 smolts at Methow Hatchery. GPUDs Methow SPC production will be comprised of Methow and Entiat impacts, 35,051 steelhead converted to Methow SPC, and 16,617 Nason safety SPC moved to Methow.

The movement and/or conversion of fish is to meet a co-manager production objective consistent with the current production (225,811 smolts) from the conservation program to meet spawner escapement and Winthrop safety net broodstock program needs in most years.

Wenatchee Subbasin

Under this proposed plan, SPC obligations for Chelan PUD in the Wenatchee Subbasin would be increased from CPUDs RIP to 144,000 smolts. This would be achieved through NNI for Wenatchee,

Entiat, and Okanogan, plus 16,617 smolts moved from Methow Hatchery to Chiwawa, and conversion of 22,911 Wenatchee sockeye to Chiwawa SPC.

Under this proposed plan, Grant PUDs SPC production for the Wenatchee Subbasin would be 197,567 smolts at Eastbank Hatchery/Nason Creek Acclimation Facility. GPUDs Wenatchee (Nason) SPC production will be comprised of Wenatchee impacts minus 16,617 Nason safety SPC moved to Methow. Under current allocations agreed to within the HSC, the Nason conservation program is maintained at 125K with the safety net program reduced to 72,567 smolts. The number of conservation-to-safety net smolts in the Nason program may be changed within the next 10-year period depending on the outcome of conservation program size evaluations.

Table 1. Proposed implementation of mid-Columbia spring Chinook programs by hatchery facility.

Facility	Douglas	Chelan	Grant	USFWS	CCT	Total	Current production
Chief Joseph Hatchery	35,640	113,806	110,000	200,000	440,554	900,000	900,000
<i>Okanogan Total</i>						<i>900,000</i>	<i>900,000</i>
Methow Hatchery	24,728	61,000	140,083			225,811	225,811
Winthrop NFH				400,000		400,000	400,000
<i>Methow Total</i>						<i>625,811</i>	<i>625,811</i>
Chiwawa		144,000				144,000	144,026
Nason			197,567			197,567	223,670
Leavenworth				1,200,000		1,200,000	1,200,000
<i>Wenatchee Total</i>						<i>1,541,567</i>	<i>1,898,000</i>
Total	60,368	318,806	447,650	1,800,000	440,554	3,067,378	3,048,000

Summer Chinook

Okanogan Subbasin

Under this proposed plan, Chelan, Douglas, and Grant summer Chinook (SUC) production cost-share agreements with the CCT for the Okanogan Basin would remain as proposed in the each of the respective PUD RIPs.

Methow Subbasin

Under this proposed plan, Douglas PUDs SUC production for the Methow Subbasin (35,467) would be included as part of a total 200K overwintered smolt release from the Carlton Acclimation Facility.

Under this proposed plan, Grant PUDs summer Chinook production for the Methow Subbasin would be increased to 164,533 from GPUDs proposed RIP. This would be achieved through a combination GPUDs proposed value plus 37,778 SUC UPM and 35,570 steelhead UPM converted to SUC. This combination is to achieve a co-manager target release into the Methow of 200K smolts.

Wenatchee Subbasin

Under this proposed plan, Chelan PUDs SUC production for the Wenatchee Subbasin (Dryden Pond) will 293,776 (an increase from CPUDs proposed RIP). Production will be a combination of their base value plus 18,780 Wenatchee sockeye converted to Wenatchee SUC.

Under this proposed plan, Grant summer Chinook production for the Wenatchee Subbasin would be increased to 206,224 from GPUDs proposed RIP. This would be achieved through a combination GPUDs proposed value plus 48,000 SUC UPM. This combination is to achieve a co-manager SUC target release from Dryden Pond into the Wenatchee River of 500K smolts.

Wells – Columbia River

Under this proposed plan, Douglas PUDs SUC production for Wells Hatchery would remain as proposed in the DPUD RIP.

Chelan Falls – Columbia River

Under this proposed plan, Chelan PUDs SUC production at Chelan Falls would increase from CPUDs proposed RIP to 535,283. This revised value is achieved by adding in a converted 1,961 Wenatchee sockeye to Chelan Falls SUC.

Table 2. Proposed implementation of mid-Columbia summer Chinook programs by hatchery facility.

Facility	Douglas	Chelan	Grant	USFWS	CCT	Total	Current production
Chief Joe CH1	58,410	357,644	305,000		578,946	1,300,000	1,300,000
Chief Joe CH0					700,000	700,000	700,000
<i>Okanogan Total</i>					<i>1,278,946</i>	<i>2,000,000</i>	<i>2,000,000</i>
Carlton	35,467		164,533			200,000	200,000
<i>Methow Total</i>						<i>200,000</i>	<i>200,000</i>
Dryden		293,776	206,224			500,000	500,001
<i>Wenatchee Total</i>						<i>500,000</i>	<i>500,001</i>
Chelan Falls		135,283				135,283	176,000
Chelan Falls Inundation		400,000				400,000	400,000
Wells Inundation yearling	320,000					320,000	320,000
Wells Inundation subs	484,000					484,000	484,000
Entiat				400,000		400,000	400,000
<i>Columbia Total</i>						<i>1,739,283</i>	<i>1,780,000</i>
Total	897,877	1,186,703	675,757	400,000	1,278,976	4,439,283	4,480,001

Steelhead

Okanogan Subbasin

Under this proposed plan, Grant PUD summer steelhead (SHD) production for the Okanogan Subbasin would remain as proposed in the GPUD RIP and described in the SSSA (100K). The remaining 72,621 UPM smolts were converted to Methow SPC and Methow SUC.

Methow Subbasin

Under this proposed plan, Douglas PUDs SHD production for the Methow Subbasin would be modified to include 40K conservation program fish (17,111 NNI and 22,889 from the lower Methow inundation release). Under this plan, DPUD will produce 20K Twisp S1 and 20K S1 Methow conservation smolts. Winthrop NFH will in turn produce 20K Twisp S2 conservation fish for release into the Twisp River to provide for an aggregate annual release goal of 40K smolts. Additionally, the JFP commit to jointly, with DPUD, developing a formal evaluation of the conservation programs currently operating in the Twisp and upper Methow as well as an evaluation of the Wells Methow Safety-net and Columbia River releases. This evaluation will include off-ramps should data suggest continuance of the current strategy pose a risk to the population.

DPUD’s proposed SHD release into the Columbia River will remain as outlined in their RIP. Safety net releases to the lower Methow will be reduced to 77,111.

Wenatchee Subbasin

Under this plan, Chelan summer steelhead production for the Wenatchee Basin would be increased from CPUDs RIP value of 213,520 to include the SHD UPM of 21,970 for a total Wenatchee SHD program of 235,490 smolts.

Table 3. Proposed implementation of mid-Columbia summer steelhead programs by hatchery facility.

Facility	Douglas	Chelan	Grant	USFWS	CCT	Total	Current production
Wells (Okanogan)			100,000			100,000	100,000
<i>Okanogan Total</i>						<i>100,000</i>	<i>100,000</i>
Wells (Twisp Pond)	40,000					40,000	48,000
Wells (Methow SN)	77,111					77,111	100,000
Wells (Columbia R.)	200,000					200,000	160,000
Methow (WNFH)				200,000		200,000	200,000
<i>Methow Total</i>	<i>317,111</i>			<i>200,000</i>		<i>517,111</i>	<i>508,000</i>
Wenatchee (NNI)		70,490				70,490	82,300
Wenatchee (Inundation)		165,000				165,000	165,000
<i>Wenatchee Total</i>						<i>235,490</i>	<i>247,300</i>
Total	317,111	235,490	100,000	200,000		852,601	855,300

Sockeye

Wenatchee Basin

Under this proposed plan, Chelan sockeye production for the Wenatchee subbasin would be converted 1:1 to Chiwawa spring Chinook (22,911 smolts), Wenatchee summer Chinook (18,780 smolts), and Chelan Falls summer Chinook (1,961 smolts). Similarly, to the last recalculation agreement, because mortality on Wenatchee sockeye will continue to occur at Rock Island Dam, monitoring and evaluation of the natural populations in the White and Little Wenatchee rivers is also expected to continue to occur. This will include but not be limited to current activities such as measuring juvenile emigration abundance/performance, adult spawner abundance/distribution, etc. as well as those biotic and abiotic

variables which could be identified as limiting factors to natural productivity and juvenile/adult abundance (e.g., predation, etc.).

Fall Chinook

Under this plan, Grant fall Chinook production would remain as proposed in the Grant PUD RIP including the fry conversion which occurred following the previous recalculation.

Table 4. Proposed implementation of mid-Columbia fall Chinook programs by hatchery facility.

Facility	Douglas	Chelan	Grant	USFWS	CCT	Total	Current production
Inundation			5,000,000			5,000,000	5,000,000
Fry ¹			273,961			273,961	273,961
Smolts			127,306			127,306	127,306
Total			5,401,267			5,401,267	5,401,267

¹ Conversion of 1M fry to 273,961 subyearling smolts (not subject to recalculation) as agreed to by the PRCC HSC following the last recalculation.

Attachment C
Grant PUD's Counterproposal to the JFP 5/27/2022 Counterproposal

June 6, 2022

Grant PUD Counterproposal to the JFP 5/27/2022 Counterproposal

Grant PUD appreciates the time the JFP put into considering GPUDs original recalculation implementation plan (RIP) proposal. In this document, GPUD provides its counterproposal to the JFP 5/27/2022 RIP counterproposal to GPUDs original proposal.

The sensitivity analyses from the 2013 and 2023 recalculation process were created to reflect the uncertainty that different parties had about mitigation responsibilities. In short, the purpose of providing different options was to allow for ranges that did not require agreement on point estimate mitigation responsibilities. Grant PUD continues to believe that using a mix of options 1-3 in the sensitivity analysis spread across taxa is a meaningful compromise position that was used during the 2013 recalculation and that continues to be relevant today

It has become clear that the JFP has prioritized achieving option 3 of the sensitivity analysis range for summer Chinook Salmon. Grant PUD's counterproposal has incorporated the option 3 of the sensitivity analysis for summer Chinook, the mid-point of the sensitivity analysis range for spring Chinook Salmon, and option 1 of the sensitivity analysis for steelhead, to reflect the JFP's current priority as well as reflecting the approach that was agreed to during the 2013 recalculation. Grant PUD also believes it is important to use the in-place-in-kind mitigation for spring Chinook Salmon and the allocation of fish to Nason and the Methow reflects this.

Grant PUD wants to be clear that our counterproposal is a negotiated number within the sensitivity analysis and does not set precedent for mitigating for inundation mitigation, which will likely be decided in future policy group discussions.

Below is our counterproposal:

Spring Chinook: Nason=208,377, Methow= 73,532, Okanogan=110,000 (total=391,909)

Summer Chinook: Dryden= 206,224, Carlton= 134,271 (includes 7,307 as part of a steelhead species swap), Okanogan=305,000 (total=645,495)

Steelhead: Okanogan=100,000 with an additional 7,307 summer Chinook to be produced at Carlton as part of a species swap (total=100,000)

Fall Chinook: = Priest Rapids Hatchery=5,127,306 (plus 273,961 fry to smolt conversion)

Please let us know if you agree with our counterproposal or if you have any questions.

Attachment D
Revised Recalculated Production for Grant PUD - 6/6/2022 Counterproposal

See text below the table for the approach taken for proposing numbers for the 2023 recalculation period below

			Sensitivity Analysis							Implementation Plan														
			(a)	(a)*		(b)	(d)	(f)	(g)															
PUD	Species	Hatchery	Tribal Production Agreements	NOR Smolts 'BAMP'	NOR Smolts 'BAMP' by tributary adult equivalents were allocated to		UPM for NFH Smolts	Residuals for NFH Smolts 'MNNI'	Inundation	UPM for Inundation	GPUD Proposed 2023 sensitivity production Total Proposed	GPUD Proposed 2023 recal Production	Last Recalc 2013	JFP 5/27 Counterprop osal	GPUD 6/6 Counterprop osal	Notes from original 2023 GPUD proposal								
GPUD	Spring Chinook	Methow		14,428		Methow	214,560	41,378			412,599	78,929	134,126	140,083	73,532	78,929 equals the top end of the sensitivity analysis total (412,599)-(223,670+110,000). The WNFH portion of the totals presented in (b) and (d) is 66,354. See 2022_03_14 PUDs Sensitivity Analysis, NFH Smolts Owed tab. Same as last recalc (need to determine split between conservation and safety net components). The LNFH portion of the totals presented in (b) and (d) is 189,584. See 2022_03_14 PUDs Sensitivity Analysis, NFH Smolts Owed tab. Same as last recalc Same as last recalc with the addition of a species swap to make up for steelhead greater than 100,000 (see * agreement text below) 2023 total includes yearling summer Chinook species swap for 7,307 steelhead that exceed 100,000 2023 total includes species swap for 7,307 steelhead so that steelhead total does not exceed 100,000 (see * agreement text below) CJH funding agreement. Total for combined SUC (576,001) also includes 50,591 UPM for inundation fish to get to mitigation midpoint Same as last recalc PRH total does not include additional fry to smolt converted number (273,961) which will be produced at PRH								
	Spring Chinook	Nason		32,233	7,632	Entiat								223,670	223,670		197,567	208,377						
	Spring Chinook	CJH Funding Agreement	110,000			Wenatchee																		
	Steelhead	Okanogan		81,367	32,672	Methow	25,940	5,003		60,311	107,307	100,000 plus a 7,307 species swap	100,000	100,000	100,000 plus a 7,307 species swap									
	Summer Chinook	Carlton		178,973		Methow	53,640	11,595		112,778	576,001	96,492	200,000	164,533	134,271									
		CJH Similkameen	Fund	113,054		Okanogan															305,000	278,000	305,000	305,000
		Dryden		168,147		Wenatchee															181,816	181,816	206,224	206,224
Fall Chinook	Priest Rapids		127,306					5,000,000			5,127,306	5,127,306	5,325,543	5,127,306	5,127,306									
Coho	YN Funding agreement	Fund									Fund	Fund	Fund	Fund	Fund									
Sockeye	ONA Funding agreement	Fund									Fund	Fund	Fund	Fund	Fund									

Macro approach - used the same general approach as the 2013 recalculation implementation plan of high end of the sensitivity range for spring Chinook, middle for summer and fall Chinook, and low for steelhead. Summer Chinook method in 2023 recalc was higher than previous recalc because it used the midpoint instead of "option 2" of the sensitivity analysis.

Total n values for each species presented in (a) NOR smolts 'BAMP' column match with column (a) in the Sensitivity Components table. When those totals are broken out by tributary the value presented was derived from NOR Adult Equivalents divided by the hatchery SAR value. See 2022_03_14 PUDs Sensitivity Analysis, NOR Smolts Owed tab.

Spring Chinook - Maintain the number of spring produced at CJH and Nason and put the remainder in Methow Hatchery

Steelhead - Maintain the maximum permitted for steelhead (100,000) per the NMFS 2008 BiOp* and put remainder of sensitivity analysis total above 100,000 as a species swap with Carlton Summer Chinook (7,307)

* From NMFS 2008 BiOp for the PRP section 2.4.3: "It is important to note that these are maximum production numbers [100,000 steelhead] which may be adjusted downward if determined appropriate by the PRCC Hatchery Subcommittee."

Summer Chinook - Take an average of the high and low end of the sensitivity range (midpoint) and distribute this among hatcheries. Maintain the number of summer Chinook at Dryden, the funding agreement for CJH, and the remainder at Carlton in addition to the species swap

Fall Chinook - BAMP+inundation

Coho - Funding agreement

Sockeye - Funding agreement