Admiralty Inlet Pilot Tidal Project
Marine Aquatic Resource Committee
Meeting Minutes

Date: July 1, 2014, 10:00 AM-1:15 PM

Location: Public Utility District No. 1 of Snohomish County
Electric Building, Room TC2-C (second floor)
2320 California Street
Everett, WA

Members present: Brad Spangler, Craig Collar, Eric Schneider, Jessica Spahr, Jeff Kallstrom, Keith Binkley (District); Doug Thompson, Brock Applegate (WDFW); Rebekah Padgett (Ecology)
Stan Walsh (Skagit River System Cooperative); Dr. Brian Polagye (UW-NNMREC)

Phone/Web Attendees: Kim Hatfield (NMFS); Lou Ellyn Jones (FWS); Rich Brooks (Suquamish Tribe);

Members not present: Kevin Anderson (DNR); Daryl Williams (Tulalip Tribes)

Action Items:
1. Submit comments on proposed revisions by July 11 - ALL
2. Distribute any comments received on proposed revisions to group – Jessica
3. Provide a voting form or email to group - Jessica
4. Submit votes on proposed revisions by July 15 - ALL
5. Send UW paper on camera system for near-field monitoring and post on website – Brian/Jessica
6. Post pdf meeting presentations to MARC website - Jessica
7. Send out redline for AMF language revision discussed during meeting - Jeff

Discussion Items:
1. Introductions – group members
2. Jeff gave an overview of recent license and permitting activities. The District’s filing to FERC for declaratory order on federal preemption was granted on 6/19/14. At the same time, FERC also denied a request for stay of license activities. FERC did not yet decide on requests for rehearing. Jeff discussed the background for the preemption request and mentioned that, notwithstanding preemption, the District intends to comply with all conditions of the Shoreline Permit except for the stay of construction.
In reference to the discussion on CZMA waiver, Rebekah pointed out that Ecology did not “approve” the CZMA consistency determination, rather it was unintentionally waived due to no action prior to 6-month statutory deadline, and lack of an end date in the extension request.

Stan asked whether an Army Corps permit was obtained for the project. The District applied to the Corps, and received a letter stating no permit would be required. The District will provide a copy of the Army Corps letter to Stan.

3. Brian Polagye from the University of Washington Northwest National Marine Renewable Energy Center presented on the Acoustic, Benthic, Marine Mammal and Near-Turbine monitoring plans: hypotheses directing the plans, how plans will be implemented during project operations, and adaptive management triggers. If triggers occur, the District will confer with the MARC to review the trigger and determine next steps.

Kim mentioned that NMFS is revisiting acoustic exposure thresholds for marine mammals, replacing the previous single threshold with separate exposure thresholds for functional hearing groups. This is not anticipated to affect the project, however the District will coordinate with NMFS and UW-NNMREC as needed to determine if this warrants an update to the Acoustic Monitoring Plan.

4. Jessica reviewed the procedures for voting on the proposed revisions. The District is required to document consultation with the MARC on any FERC submittal proposing modifications to monitoring plans or the in-water construction schedule. The District seeks to reach consensus on these proposed revisions, and therefore proposes a voting process after the group reviews and discusses the revisions. The District distributed the proposed revisions to the group on June 11, and requested comments by July 11, with the July 1 MARC meeting scheduled to allow discussion during the comment period. Rather than voting at this meeting, the District is requesting votes via email by close of business on July 15, and will remind the group as this date approaches (one vote per agency). Any member who does not submit a vote by this date will be deemed to have abstained from the voting.

5. Jeff discussed the proposed changes to the Benthic Habitat Monitoring and Mitigation Plan:
   - Add scale to ROV to determine sediment/gravel/cobble size.
   - District will consult with MARC to determine number of ROV surveys for second year of operation.
   - Brock asked about whether survey frequency could be changed again at a later date. Jeff indicated that this is part of the adaptive management built into the monitoring plans. The District will consult with the MARC when survey results are obtained, and group can provide input on further planning.

6. Jeff discussed proposed revisions to the Marine Mammal and Derelict Gear plans based on a request from NMFS to include language that FERC included in the license articles for other monitoring plans. These are clarifying revisions intended to make these plans consistent.
with the others. Revised language states “Any proposed modifications to this Plan shall be approved by NMFS before submittal to FERC for approval.”

7. Jeff discussed proposed revisions to the Adaptive Management Framework based on revisions to the monitoring plans. Revisions include:
   - A new section stating that revisions to the AMF must be approved by the group.
   - Clarifying revisions to make the plan names in the AMF consistent with the monitoring plan documents.

8. Keith reviewed background for the proposed in-water construction schedule revision. The District proposes to remove the work window restriction for the Pacific sand lance due to the fact that no documented sand lance spawning ground is present in the project area, and that project activities will not affect the area where spawning would take place if it were present. This revision would not change work windows for other species. Doug (WDFW) indicated support for this revision. As the sand lance window was not included in the HPA issued for the project, this revision would make the license consistent with the HPA and the conditions for the 401 Water Quality Certification.
   - Stan asked about potential vibration from HDD activities. The proposed depth and short duration of the proposed drilling operation properly mitigates this concern. This together with the lack of documented sand lance presence in the area suggests that vibration is not anticipated to be an issue.

9. Review action items and adjourned at 1:15.

Please review these minutes for completion and accuracy, and send any suggested edits to JLSpahr@snopud.com within seven (7) days of receipt. If comments are received final minutes will be sent out after the 7 day comment period, along with a copy of the comments as an attachment.