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May 17, 2013

VIA ELECTRONIC FILING

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission (FERC)
888 First Street NE
Washington, DC 20426

**Re: Jackson Hydro Project (FERC No. 2157)
Instream Flow Modification in Reach 3 of the Sultan River**

Dear Secretary Bose:

The Public Utility District No. 1 of Snohomish County (District) will be modifying the default instream flow schedule for the Jackson Hydroelectric Project (Project) in Reach 3 of the Sultan River during the course of this water year (July 1, 2013 through June 30, 2014); see Attachment 1: Water Year 2013-2014 Modified Instream Flow Schedule. This modification is consistent with the requirements identified under "A-LA 9: Minimum Flows" in Appendix G of the Project's License, and continues the modified flow schedule for current water year (through June 30, 2013) previously filed with the Commission on June 4, 2012.

The purpose of this change to the default schedule identified in A-LA 9 is to provide warmer water during key resident trout spawning and rearing periods in Reach 3 of the Sultan River (the reach between river miles 9.7 and 16.1), as compared to the default flow scheduled identified in A-LA 9. The change will involve re-shaping of the flow release schedule but result in no net change to the annual flow budget. This will balance physical habitat and temperature requirements (see Attachment 2: Reach 3 Flow and Temperature Data). By maximizing releases through the auxiliary line during the stratification period and carefully managing cool water releases, rainbow trout will benefit by:

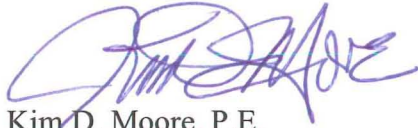
- Earlier initiation of spawning,
- Shorter incubation time,
- Exposure to longer and warmer growing conditions, and
- Being in a better position to overwinter.

The District consulted with the Aquatic Resources Committee (ARC) at the last Quarterly ARC Meeting in April 2013 regarding the benefits of the modified flow schedule – no members objected to the proposed instream flow schedule for Reach 3 (see Attachment 3: Consultation Documentation). Additionally, the District emailed the ARC with the proposed Reach 3 flow schedule on March 25, 2013, for a 30-day review and comment period. The information was reviewed at the ARC meeting on April 17 with follow-up information provided to the ARC via email later that day. No additional comments on the proposed schedule were received from ARC

members. As such, the District will implement this modified flow schedule for Reach 3 effective for Water Year 2013-2014.

Please contact me at the number below, or Keith Binkley (Natural Resources Manager, fish biologist) at (425) 783-1769, if you should have any questions.

Sincerely,



Kim D. Moore, P.E.

Assistant General Manager of Generation, Water, and Corporate Services

(425) 783-8606

KDMoore@snopud.com

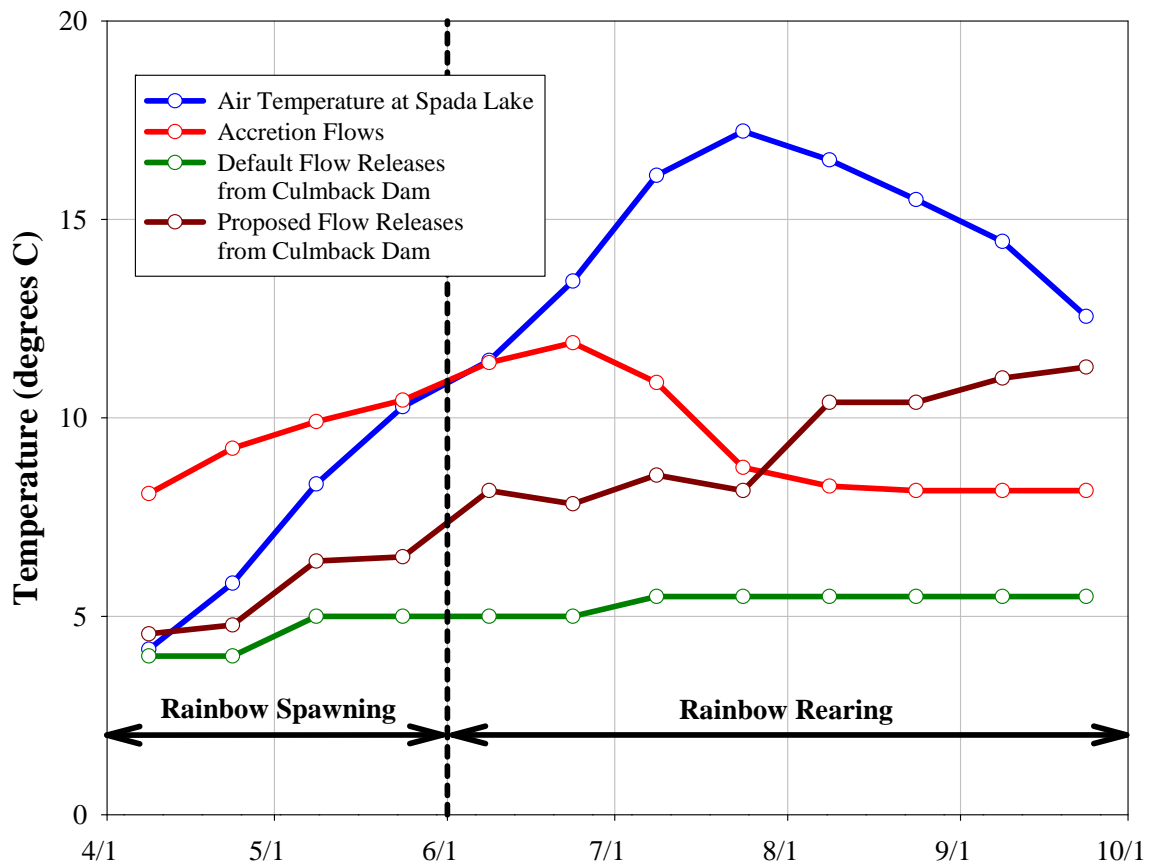
cc: Keith Binkley, District

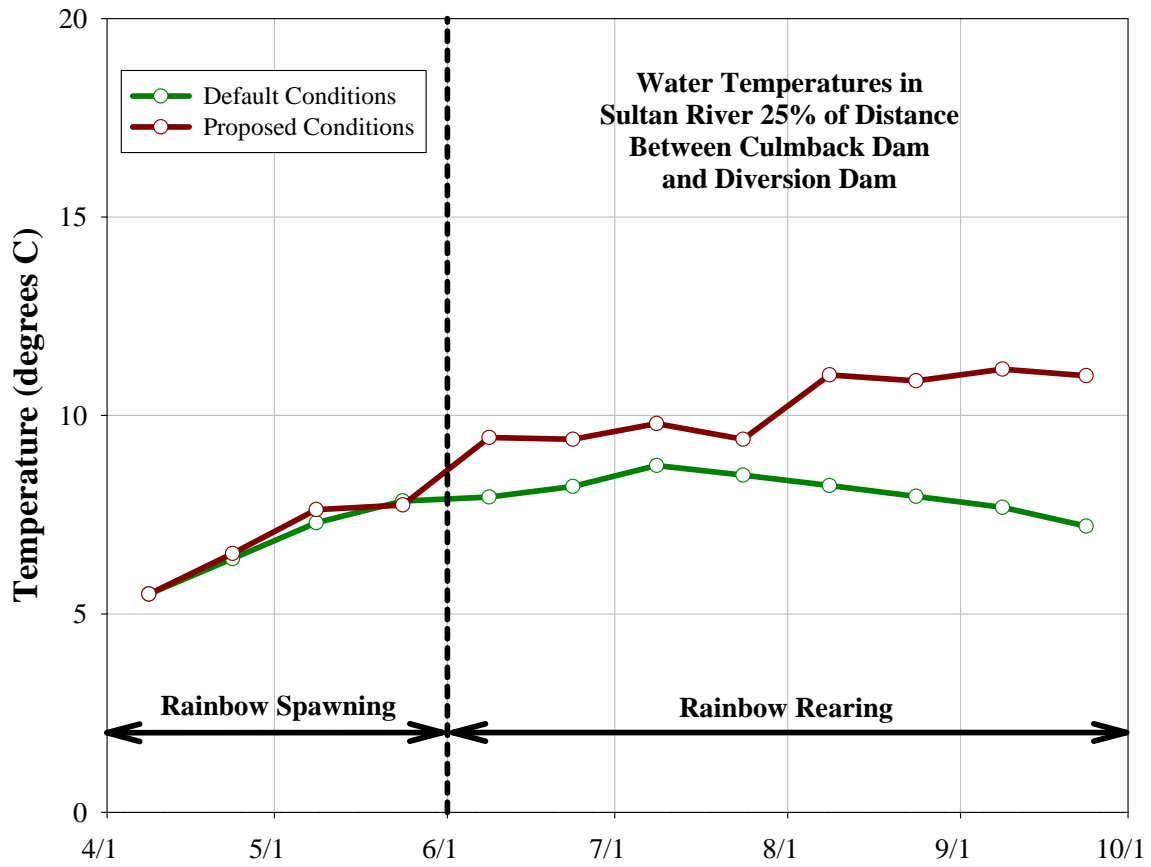
ATTACHMENT 1:
Water Year 2013-2014 Modified Instream Flow Schedule for Reach 3

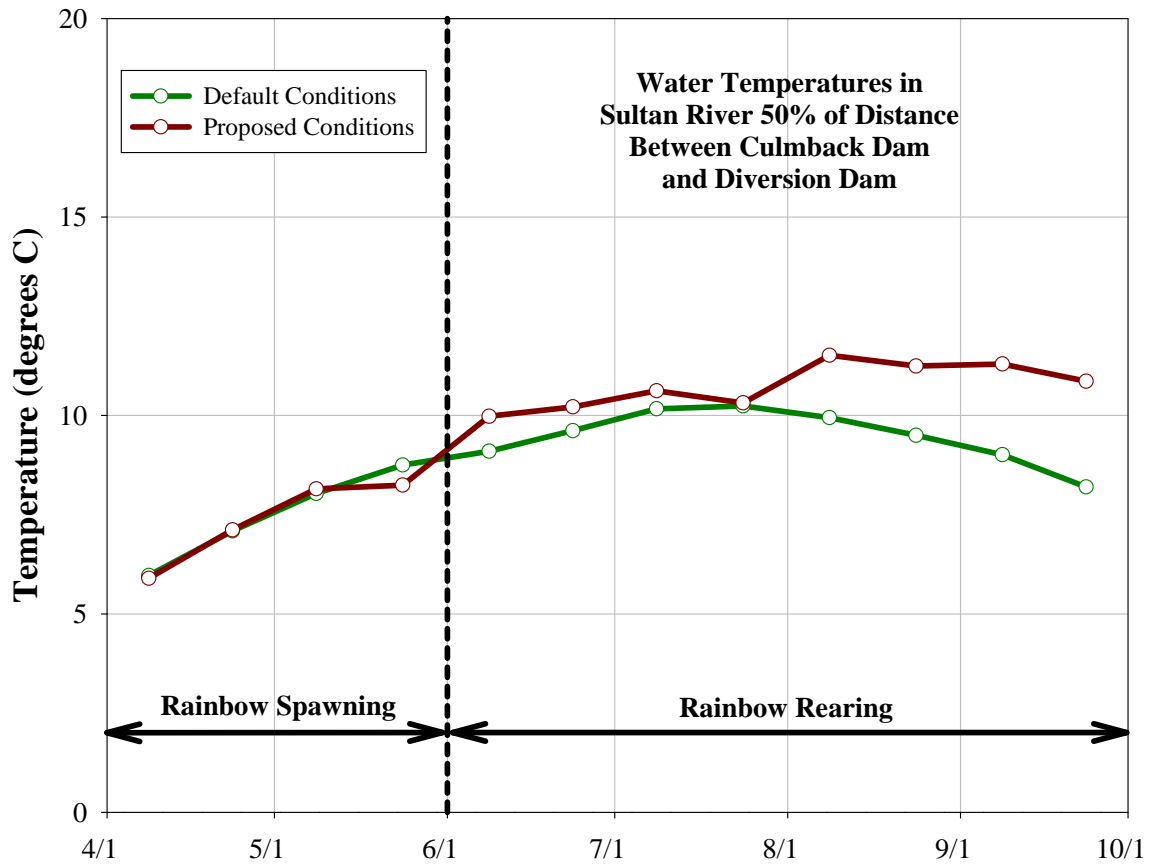
Timeframe	Release Flow (cfs)
July 1*-15	37
July 16-31	42
August 1-15	44
August 16-31	44
September 1-15	43
September 16-30	41
October	21
November	21
December	21
January	21
February	21
March	21
April 1-15	31
April 16-30	25
May 1-15	30
May 16-31	29
June 1-15	23
June 16-30	28

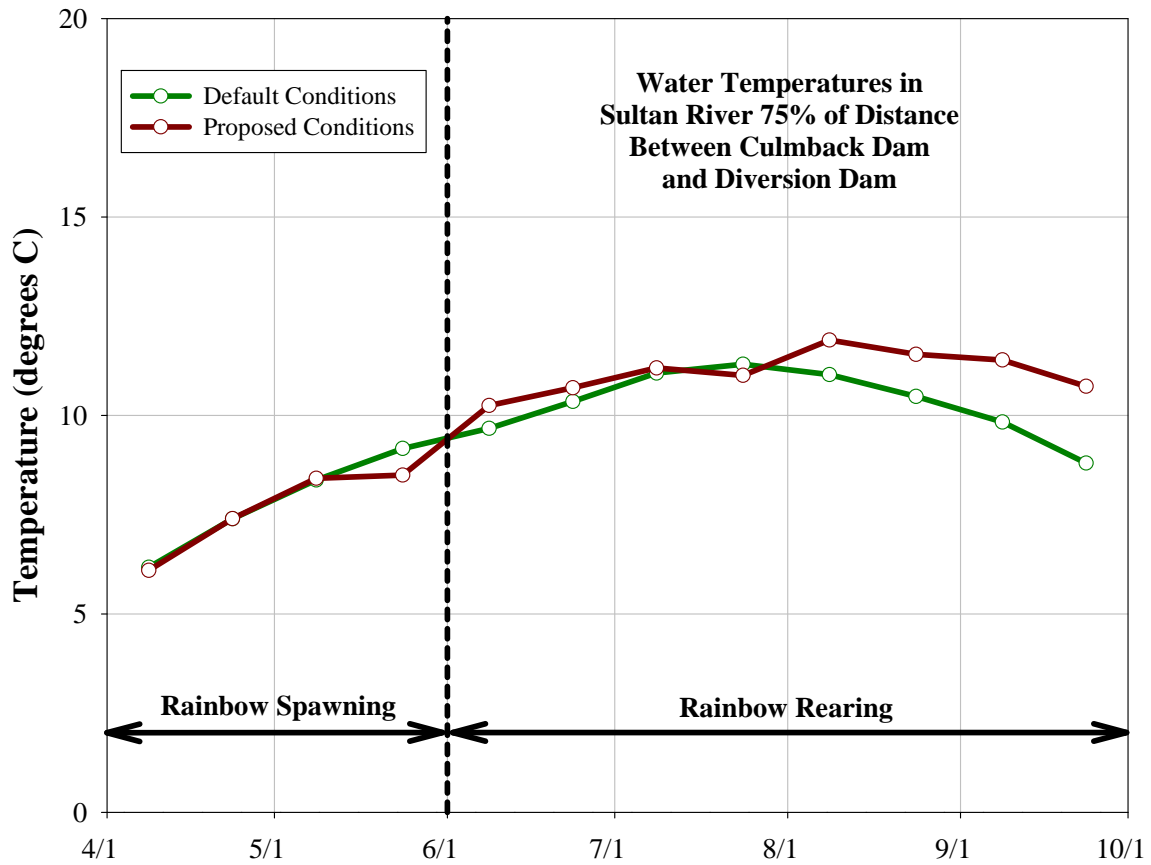
* July 1 begins the water year.

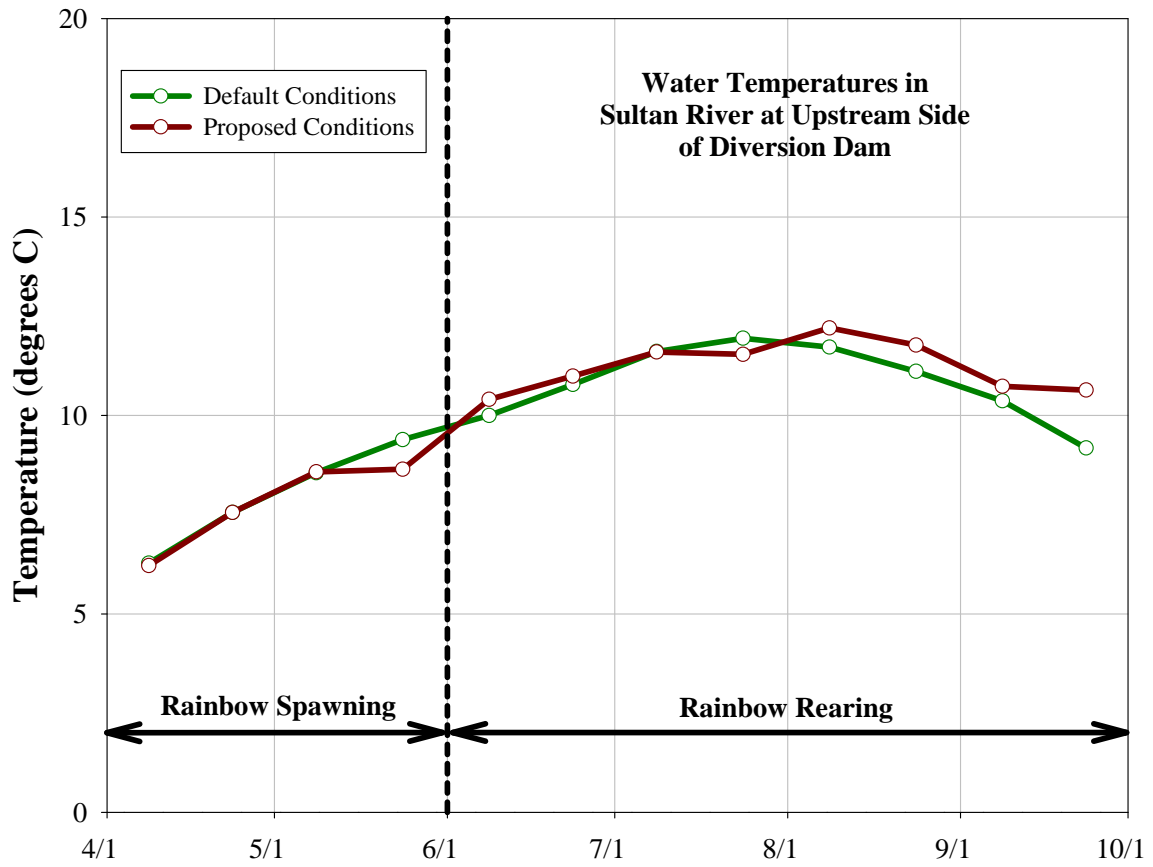
ATTACHMENT 2:
Reach 3 Flow and Temperature Data

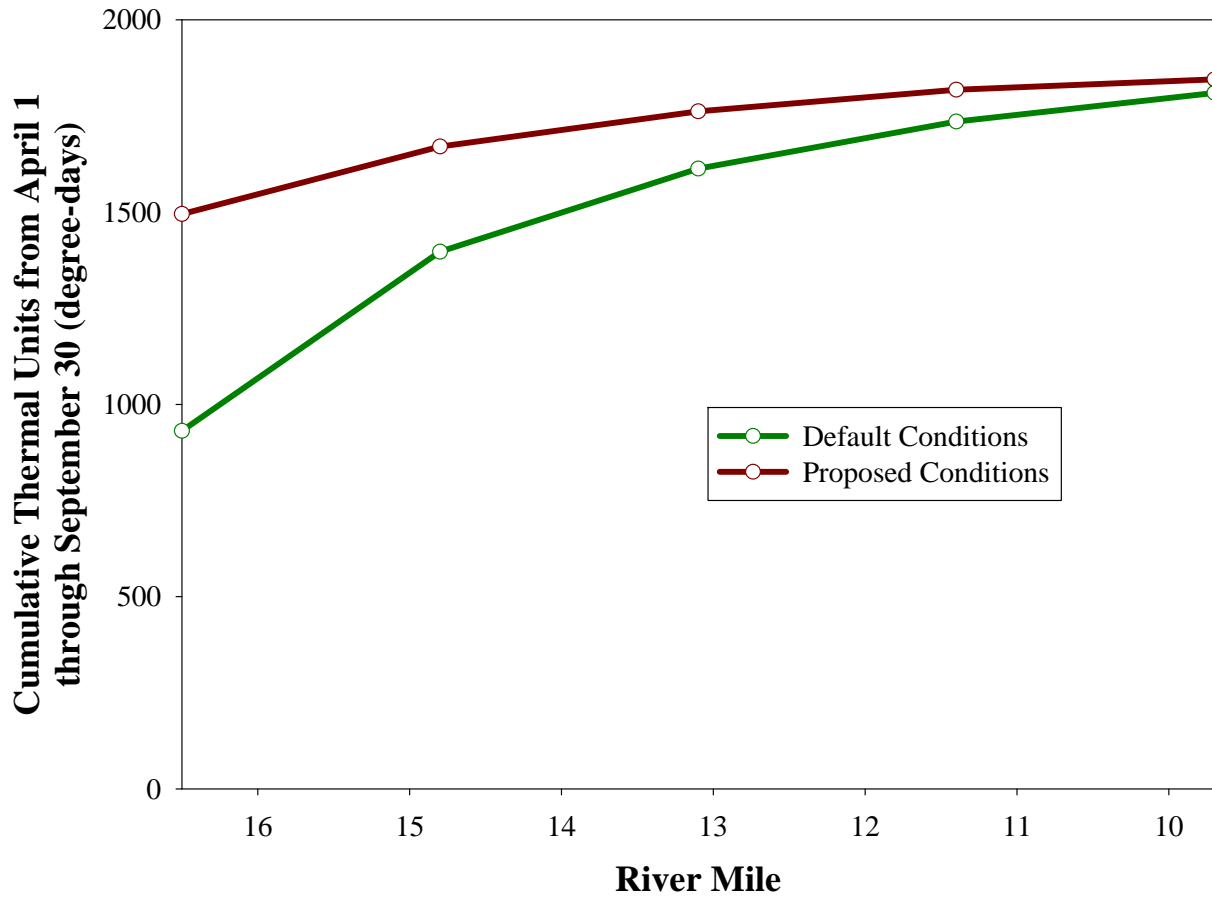












ATTACHMENT 3:
Consultation Documentation

Presler, Dawn

From: Presler, Dawn
Sent: Monday, March 25, 2013 11:21 AM
To: "Steven Fransen" (steven.m.fransen@noaa.gov); "Loren Everest - USFS" (leverest@fs.fed.us); "Tim_Romanski@fws.gov" (Tim_Romanski@fws.gov); "Anne Savery" (asavery@tulaliptribes-nsn.gov); "brock.applegate@dfw.wa.gov" (brock.applegate@dfw.wa.gov); "Maynard, Chris (ECY)" (cmay461@ecy.wa.gov); "Jim Miller" (JMiller@ci.everett.wa.us); "mick.matheson@ci.sultan.wa.us" (mick.matheson@ci.sultan.wa.us); "Leonetti, Frank" (frank.leonetti@snoco.org); "Thomas O'Keefe" (okeefe@americanwhitewater.org)
Cc: Moore, Kim; Binkley, Keith
Subject: JHP (FERC No 2157) - draft instream flows for Reach 3 for Water Year 2013/2014
Attachments: DRAFT WY2013-14 Reach 3 Flows.pdf

Dear ARC,

Per A-LA 9 "Minimum instream flows" from the Jackson Project license, attached is the draft instream flow schedule (modification from the default listed in the license) for Reach 3 for this next Water Year (July 2013-June 2014) for your 30-day review and comment. It continues the same minimum instream flow schedule from this water year (July 2012-June 2013). Please email me your comments on the proposed Reach 3 flows by April 24. If you have no comments on the attached, an email stating so would be appreciated too! Thanks.

Dawn J. Presler

*Sr. Environmental Coordinator
Generation Resources*

Snohomish County PUD
PO Box 1107 Everett, WA 98206-1107
425-783-1709

Presler, Dawn

From: Thomas O'Keefe <okeefe@americanwhitewater.org>
Sent: Monday, March 25, 2013 3:29 PM
To: Presler, Dawn
Subject: Re: JHP (FERC No 2157) - draft instream flows for Reach 3 for Water Year 2013/2014

I reviewed and have no comment at this time.

-- Tom

Thomas O'Keefe, PhD
Pacific Northwest Stewardship Director
American Whitewater
3537 NE 87th St
Seattle, WA 98115

ph 425-417-9012

On Mar 25, 2013, at 11:20 AM, "Presler, Dawn" <DJPresler@SNOPUD.com> wrote:

Dear ARC,
Per A-LA 9 "Minimum instream flows" from the Jackson Project license, attached is the draft instream flow schedule (modification from the default listed in the license) for Reach 3 for this next Water Year (July 2013-June 2014) for your 30-day review and comment. It continues the same minimum instream flow schedule from this water year (July 2012-June 2013). Please email me your comments on the proposed Reach 3 flows by April 24. If you have no comments on the attached, an email stating so would be appreciated too! Thanks.

Dawn J. Presler
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PO Box 1107 Everett, WA 98206-1107
425-783-1709

<DRAFT WY2013-14 Reach 3 Flows.pdf>

Presler, Dawn

From: Binkley, Keith
Sent: Wednesday, April 17, 2013 3:30 PM
To: 'Anne Savery'; Presler, Dawn; 'Steven Fransen' (steven.m.fransen@noaa.gov); 'Loren Everest - USFS' (leverest@fs.fed.us); 'Tim_Romanski@fws.gov' (Tim_Romanski@fws.gov); 'brock.applegate@dfw.wa.gov' (brock.applegate@dfw.wa.gov); 'Maynard, Chris (ECY)' (cmay461@ecy.wa.gov); 'Jim Miller' (JMiller@ci.everett.wa.us); 'mick.matheson@ci.sultan.wa.us' (mick.matheson@ci.sultan.wa.us); 'Leonetti, Frank' (frank.leonetti@snoco.org); 'Thomas O'Keefe' (okeefe@americanwhitewater.org)
Cc: Moore, Kim; Spangler, Bradley
Subject: RE: JHP (FERC No 2157) - draft instream flows for Reach 3 for Water Year 2013/2014

ARC Members-

I apologize for not being better prepared to discuss this topic in detail this morning. After the meeting, I took a closer look at the figures we were discussing. Upon review, it came back to me and now makes perfect sense. As you scroll through the figures, keep in mind the following points in mind:

1) The presented no notable downstream change in temperature during April and May is not surprising given the dominating influence from accretion at that time of year. However as the season progresses, air temperatures increase, reservoir temperatures increase, and accretion decreases which when coupled with the aux line flows results in an earlier initiation of spawning. Focus on that - as earlier initiation is a key objective. Also, remember that we are using median accretion values. If we had a drier year with less accretion, you would be able to detect more notable changes and even earlier initiation. With that said, I maintain that releasing a proportionately larger amount of warm water into the reach as early possible makes sense.

2) The presented no change in temperature during April and May also reiterates that the amount of physical habitat for spawning (depth, velocity, substrate) available at this time of year, while important, is only relevant if the behavior requiring that habitat is initiated. This was the catalyst for integrating temperature into an effective habitat analysis and the subsequent rationale for the modified flow regime. Again, putting as much warm water down the channel as soon as possible makes sense.

3) Significant increases in temperature throughout the upper 75% of the reach during the rearing portion of the year are evident under the median accretion scenario which is key to growth and ability to overwinter. This benefit is not detectable at the bottom of the reach, near the Diversion Dam, largely because of ambient conditions under the median accretion scenario. Again, I maintain that staying with the program and providing a significant increase in the quality and the longitudinal extent of rearing habitat makes good sense.

Hopefully, this clarifies this matter. As always, please feel free to contact me with additional comments or concerns.

Keith

-----Original Message-----

From: Anne Savery [mailto:asavery@tulaliptribes-nsn.gov]
Sent: Wednesday, April 10, 2013 1:58 PM
To: Binkley, Keith; Presler, Dawn; 'Steven Fransen' (steven.m.fransen@noaa.gov); 'Loren Everest - USFS' (leverest@fs.fed.us); 'Tim_Romanski@fws.gov' (Tim_Romanski@fws.gov); 'brock.applegate@dfw.wa.gov' (brock.applegate@dfw.wa.gov); 'Maynard, Chris (ECY)' (cmay461@ecy.wa.gov); 'Jim Miller' (JMiller@ci.everett.wa.us); 'mick.matheson@ci.sultan.wa.us' (mick.matheson@ci.sultan.wa.us); 'Leonetti, Frank' (frank.leonetti@snoco.org); 'Thomas O'Keefe' (okeefe@americanwhitewater.org)
Cc: Moore, Kim

Subject: RE: JHP (FERC No 2157) - draft instream flows for Reach 3 for Water Year 2013/2014

Yes, if you would spend 5 -10 minutes on it in the meeting I'd appreciate it. The first figure shows an increase in temperature during spawning for proposed versus default flow schedule that is not necessarily reflected for spawning in the following figures - when the Reach 3 is broken down into 25% increments.

Thanks
Anne

From: Binkley, Keith [KMBinkley@SNOPUD.com]
Sent: Tuesday, April 09, 2013 3:44 PM
To: Anne Savery; Presler, Dawn; 'Steven Fransen' (steven.m.fransen@noaa.gov); 'Loren Everest - USFS' (leverest@fs.fed.us); 'Tim_Romanski@fws.gov' (Tim_Romanski@fws.gov); 'brock.applegate@dfw.wa.gov' (brock.applegate@dfw.wa.gov); 'Maynard, Chris (ECY)' (cmay461@ecy.wa.gov); 'Jim Miller' (JMiller@ci.everett.wa.us); 'mick.matheson@ci.sultan.wa.us' (mick.matheson@ci.sultan.wa.us); 'Leonetti, Frank' (frank.leonetti@snoco.org); 'Thomas O'Keefe' (okeefe@americanwhitewater.org)
Cc: Moore, Kim
Subject: RE: JHP (FERC No 2157) - draft instream flows for Reach 3 for Water Year 2013/2014

ARC Members - You will recall, that the modified flow schedule shapes the annual budget in a way to balance life stage needs integrating the results from both temperature and habitat modeling. It does factor in accretion. Temperature is the prime driver for initiation of spawning for the resident fish in Reach 3. Early spawning means earlier emergence and more growth opportunity within the annual period when the WTC program is in operation.

We can add this to the agenda for next week's meeting if necessary.

Keith

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From: Anne Savery [mailto:asavery@tulaliptribes-nsn.gov]
Sent: Tuesday, April 09, 2013 2:03 PM
To: Presler, Dawn; 'Steven Fransen' (steven.m.fransen@noaa.gov); 'Loren Everest - USFS' (leverest@fs.fed.us); 'Tim_Romanski@fws.gov' (Tim_Romanski@fws.gov); 'brock.applegate@dfw.wa.gov' (brock.applegate@dfw.wa.gov); 'Maynard, Chris (ECY)' (cmay461@ecy.wa.gov); 'Jim Miller' (JMiller@ci.everett.wa.us); 'mick.matheson@ci.sultan.wa.us' (mick.matheson@ci.sultan.wa.us); 'Leonetti, Frank' (frank.leonetti@snoco.org); 'Thomas O'Keefe' (okeefe@americanwhitewater.org)
Cc: Moore, Kim; Binkley, Keith
Subject: RE: JHP (FERC No 2157) - draft instream flows for Reach 3 for Water Year 2013/2014

All

For discussion purposes I want to point out the default instream flow schedule that was negotiated under the Settlement Agreement. Last year, we agreed to change the default to the flow schedule recommended by PUD. This year the proposed flow schedule appears to be the same as last year. During the SA negotiations, it appears we were strongly focused on maximizing spawning habitat, regardless of benefits of temperature conditioning to rearing. According to results in RSP 3, in lower reach 3, peak spawning habitat for cutthroat is achieved at 120-125 cfs, 80% spawning at 50-60 cfs. The proposed 25-31 cfs offers approximately 40-60% peak habitat for spawning. 40 cfs provides approximately 40% peak habitat for juvenile cutthroat trout - which is much more than provided in the default flow schedule (20 cfs provides @ 20%).

I wonder if others find the proposed tradeoff between temperature and flow satisfactory. The change in temperature regime appears to greatest in the upper 1/2 of Reach 3. It is assumed the overall benefit to the fishery in Reach 3 will be higher with increased growth potential in juvenile growth.

A few questions

Are the proposed flows and temperature benefits in Reach 3 including accretion or solely releases from the dam?

Why the proposed dips in flow in late April and early June?

Is a temperature the most important cue for spawning behavior in species present in Reach 3, or is an increase in flow important?

Timeframe

Proposed for 2013-2014
(cfs)

Settlement Agreement Default (cfs)

Lifestage

July 1-15

37

20

Rearing

July 16-31

42

20

August 1-15

44

20

August 16-31

44

20

September 1-15

43

20

September 16-30

41

20

October

21

20

November

21

20

December

21

20

January

21

20

February

21

25

March

21

30

April 1-15

31

45

Spawning

April 16-30

25

55

May 1-15

30

65

May 16-31

29

50

June 1-15

23

35

Rearing

June 16-30

28

35

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Sent: Monday, March 25, 2013 11:20 AM

To: "Steven Fransen" (steven.m.fransen@noaa.gov); "Loren Everest - USFS" (leverest@fs.fed.us); "Tim_Romanski@fws.gov" (Tim_Romanski@fws.gov); Anne Savery; "brock.applegate@dfw.wa.gov" (brock.applegate@dfw.wa.gov); "Maynard, Chris (ECY)" (cmay461@ecy.wa.gov); "Jim Miller" (JMiller@ci.everett.wa.us); "mick.matheson@ci.sultan.wa.us" (mick.matheson@ci.sultan.wa.us); "Leonetti, Frank" (frank.leonetti@snoco.org); "Thomas O'Keefe" (okeefe@americanwhitewater.org)

Cc: Moore, Kim; Binkley, Keith

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Generation Resources

Snohomish County PUD

PO Box 1107 Everett, WA 98206-1107

425-783-1709

Presler, Dawn

From: Binkley, Keith
Sent: Friday, April 19, 2013 8:51 AM
To: Presler, Dawn
Subject: FW: JHP (FERC No 2157) - draft instream flows for Reach 3 for Water Year 2013/2014

From: Steven Fransen - NOAA Federal [mailto:steven.m.fransen@noaa.gov]
Sent: Thursday, April 18, 2013 9:18 AM
To: Binkley, Keith
Subject: Re: JHP (FERC No 2157) - draft instream flows for Reach 3 for Water Year 2013/2014

Thanks Keith. Yes, now it comes back to me, and I agree that it makes sense. A downside of attending meetings via teleconference is that it's a bit harder for me to follow details sometimes.

SF

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Presler, Dawn

From: Applegate, Brock A (DFW) <Brock.Applegate@dfw.wa.gov>
Sent: Tuesday, April 23, 2013 2:02 PM
To: Presler, Dawn; "Steven Fransen" (steven.m.fransen@noaa.gov); "Loren Everest - USFS" (leverest@fs.fed.us); "Tim_Romanski@fws.gov" (Tim_Romanski@fws.gov); "Anne Savery" (asavery@tulaliptribes-nsn.gov); Maynard, Chris (ECY); "Jim Miller" (JMiller@ci.everett.wa.us); "mick.matheson@ci.sultan.wa.us" (mick.matheson@ci.sultan.wa.us); "Leonetti, Frank" (frank.leonetti@snoco.org); "Thomas O'Keefe" (okeefe@americanwhitewater.org)
Cc: Moore, Kim; Binkley, Keith; Kannadaguli, Monika (ECY)
Subject: Instream Flows -- Jackson Hydroproject draft for Reach 3 for Water Year 2013/2014
Attachments: DRAFT WY2013-14 Reach 3 Flows.pdf

Hi Dawn, Reach 3 instream flows look good to me.

Sincerely, Brock

Brock Applegate
Major Projects Mitigation Biologist
Washington Department of Fish and Wildlife
16018 Mill Creek Boulevard
Mill Creek, WA 98012-1541

(425) 775-1311 x310
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From: Presler, Dawn [<mailto:DJPresler@SNOPUD.com>]
Sent: Monday, March 25, 2013 11:21 AM
To: "Steven Fransen" (steven.m.fransen@noaa.gov); "Loren Everest - USFS" (leverest@fs.fed.us); "Tim_Romanski@fws.gov" (Tim_Romanski@fws.gov); "Anne Savery" (asavery@tulaliptribes-nsn.gov); Applegate, Brock A (DFW); Maynard, Chris (ECY); "Jim Miller" (JMiller@ci.everett.wa.us); "mick.matheson@ci.sultan.wa.us" (mick.matheson@ci.sultan.wa.us); "Leonetti, Frank" (frank.leonetti@snoco.org); "Thomas O'Keefe" (okeefe@americanwhitewater.org)
Cc: Moore, Kim; Binkley, Keith
Subject: JHP (FERC No 2157) - draft instream flows for Reach 3 for Water Year 2013/2014

Dear ARC,
Per A-LA 9 "Minimum instream flows" from the Jackson Project license, attached is the draft instream flow schedule (modification from the default listed in the license) for Reach 3 for this next Water Year (July 2013-June 2014) for your 30-day review and comment. It continues the same minimum instream flow schedule from this water year (July 2012-June 2013). Please email me your comments on the proposed Reach 3 flows by April 24. If you have no comments on the attached, an email stating so would be appreciated too! Thanks.

Dawn J. Presler
Sr. Environmental Coordinator
Generation Resources

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