



Energizing Life in Our Communities

June 25, 2024

VIA ELECTRONIC FILING

Debbie-Anne A. Reese, Acting Secretary
Federal Energy Regulatory Commission (FERC)
888 First Street NE
Washington, DC 20426

**Re: Jackson Hydroelectric Project, FERC No. 2157
Fish Habitat Enhancement Plan 2023 Annual Report
License Appendix G A-LA 12**

Dear Acting Secretary Reese:

Enclosed is Public Utility District No. 1 of Snohomish County's Fish Habitat Enhancement Plan 2023 Annual Report pursuant to the Jackson Hydroelectric Project's License Appendix G A-LA12. The draft report was provided to the Aquatic Resource Committee for review and comment; no comments were received. Consultation documentation is included in the report's Appendix 2.

If you have any questions on the Fish Habitat Enhancement Plan 2023 Annual Report, please contact Dawn Presler, Lead – Licensing & Compliance, at (425) 783-1709 or DJPresler@snopud.com.

Sincerely,

/s/ Keith Binkley

Keith Binkley
Manager, Natural Resources & Compliance
(425) 783-1769
KMBinkley@snopud.com

Enclosed: Fish Habitat Enhancement Plan 2023 Annual Report

cc: Aquatic Resource Committee

Henry M. Jackson Hydroelectric Project (FERC No. 2157)



Fish Habitat Enhancement Plan: 2023 Annual Report (A-LA 12)



Everett, WA

June 2024

FINAL – this report can be cited as:

Public Utility District No. 1 of Snohomish County (Snohomish PUD). 2024. Fish Habitat Enhancement Plan: 2023 Annual Report (A-LA 12) for the Henry M. Jackson Hydroelectric Project, FERC No. 2157. June 2024.

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LIST OF ACRONYMS

A-LA 12	Aquatic License Article 12: Fish Habitat Enhancement Plan
ARC	Aquatic Resource Committee
FERC	Federal Energy Regulatory Commission
FHE	Fish Habitat Enhancement
HEA	Habitat Enhancement Account
Project	Henry M. Jackson Hydroelectric Project, FERC No. 2157
Snohomish PUD	Public Utility District No. 1 of Snohomish County

1.0 INTRODUCTION

Public Utility District No. 1 of Snohomish County (Snohomish PUD) received a license on September 2, 2011 (License), from the Federal Energy Regulatory Commission (FERC) for the Henry M. Jackson Hydroelectric Project (Project). License Ordering Paragraphs D (Washington Department of Ecology 401 Water Quality Certification conditions) and E (U.S. Forest Service section 4(e) conditions) require Snohomish PUD to implement Aquatic License Article 12: Fish Habitat Enhancement Plan (A-LA 12) as detailed in License Appendix G. Snohomish PUD filed the Fish Habitat Enhancement Plan (FHE Plan) with the FERC on November 19, 2010.

As indicated in the FHE Plan, funded projects will be designed to provide additional Project-related enhancements to aquatic resources and hydrologic processes focused in the Sultan River basin; thereby, providing considerable benefits to aquatic habitat and anadromous and resident fish populations throughout the License term. These additional habitat enhancement projects, working in conjunction with other protection, mitigation, and enhancement measures, such as improved side channel connectivity, increased instream flows, and implementation of fish passage at the Diversion Dam, will likely substantially increase the quantity and quality of aquatic habitat and performance of anadromous and resident fish populations in the lower Sultan River. Establishment of the ongoing FHE Plan and Habitat Enhancement Account (HEA) will also allow for adaptive management as conditions in the basin change. The mitigation provided through the fund will best be able to address long-term habitat enhancement and restoration needs by allowing flexibility to ensure that projects are developed and implemented during the License term.

Pursuant to Section 6.2 of the FHE Plan, Snohomish PUD is to prepare a report by June 30 of each year detailing activities that occurred the previous year and activities planned for the present year as they relate to implementation of FHE Plan-approved projects. This FHE Plan Annual Report, covering activities conducted in 2023 and planned for 2024. Appendix 1 contains the new proposed projects for land conservation easement acquisition.

This draft report was provided to the Aquatic Resources Committee (ARC) for a 30-day review and comment period on May 24, 2024; no comments were received. The ARC consists of the City of Everett, City of Sultan, Snohomish County, Washington Department of Ecology, Washington Department of Fish and Wildlife, Tulalip Tribes, U.S. Forest Service, National Marine Fisheries Service, U.S. Fish and Wildlife Service, and American Whitewater. Documentation of consultation with the ARC regarding the report is included in Appendix 2.

2.0 ACTIVITIES FOR YEAR 2023

2.1 Project Selection

At the end of June 2023, the ARC agreed to fund the pursuit of the Carlson property acquisition. No new projects were proposed at the October 2023 ARC meeting.

2.2 Project Implementation

2.2.1 Land Conservation Easement – Knowlton

On December 2, 2022, the ARC approved the pursuit of a land conservation easement acquisition with the Knowltons to support the side channel extension project pursuant to the WA Department of Ecology grant. A conservation easement was granted on January 25, 2023.

2.2.2 Land Conservation Easement – VOA

On May 16, 2023, the ARC approved the pursuit of a land conservation easement acquisition with the Volunteers of America to support the side channel extension project pursuant to the WA Department of Ecology grant. A conservation easement was granted on June 21, 2023.

2.2.3 Land Acquisition – Carlson

Snohomish PUD finalized the purchase of the property in December 2023.

2.3 Project Monitoring

No monitoring of FHE Plan habitat projects was conducted beyond that already described above.

3.0 ACTIVITIES FOR YEAR 2024

3.1 Project Selection

New projects can be proposed as part of the ARC meeting in October 2024. Projects needing immediate attention can be brought before the ARC at any time.

3.2 Project Implementation

3.2.1 Land Conservation Acquisition – Carlson

The mobile home, barn, accessory building, deck, horse fencing, and miscellaneous yard debris were removed from the property. A plan will be developed identifying potential additional restoration measures and presented to the ARC for discussion and approval of future activities.

3.3 Project Monitoring

Staff will conduct an annual inspection of the ~30-acre “Hochfeld” property to assess for trespass or vandalism.

4.0 FUND BALANCE

The HEA was seeded with \$2.5 million upon License issuance. Starting the tenth anniversary after issuance of the License (Year 11) and annually thereafter for the term of the License, Snohomish PUD deposits \$200,000 (based on 2011 dollars) into the fund account per Section 5.1 of the FHE Plan.

As of December 31, 2023, the fund’s account balance was \$2,453,310.74. However, this balance does not reflect amounts not yet spent towards approved projects, debited from the fund, and

reserves for potential slides. The balance of unallocated funds for use on future projects is approximately \$1.56 million, as follows:

Fund Start 2011	\$ 2,500,000.00
September 2021 Annual Payment	\$ 256,365.42
September 2022 Annual Payment	\$ 279,539.79
September 2023 Annual Payment	\$ 294,640.08
Interest to-date (12/31/23)	<u>+\$ 327,575.89</u>
Subtotal	\$ 3,658,121.18 (deposits)
Confluence property acquisition	-\$ 4,861.38 (closed)
Lower Skykomish River restoration	-\$ 157,955.98 (closed)
Riparian restoration Sultan River	-\$ 219,491.25 (closed)
Riparian restoration Sultan River (2-yr extension)	-\$ 0 (closed)
Habitat Projects Prioritization	-\$ 48,493.80 (closed)
LWD in Reaches 2 & 3	-\$ 100,000.00 (closed)
Conservation Easement - Oster	-\$ 0 (closed)
Sonar Device (ARIS)	-\$ 149,684.81 (closed)
RCO Grant Match - 2022	-\$ 0 (closed)
Conservation Easement – Knowlton	-\$ 45,000.00 (allocated)
Conservation Easement – VOA	-\$ 27,000.00 (allocated)
Carlson property acquisition	-\$ 672,000.00 (allocated)
Hochfeld property acquisition	-\$ 173,300.00 (allocated)
Future slides reserve	<u>-\$ 500,000.00 (allocated)</u>
Subtotal	-\$2,097,787.22 (spent or allocated)
Total	\$1,560,333.96 (unallocated balance)

5.0 FHE PLAN RECOMMENDATIONS

No recommendations for changes to the FHE Plan are being made at this time.

Appendix 1

Property Acquisition - Carlson

Jackson Hydroelectric Project (FERC No. 2157)

Fish Habitat Enhancement Project Proposal

Applicant Contact Information/			
ARC Applicant Name	Keith Binkley	Date	06/26/23
Organization	Snohomish County PUD #1		
Address	PO Box 1107		
City, State and Zip	Everett, WA 98206-1107		
Contact Info	425-783-1769	KMBinkley@snopud.com	

Project Type	
Project Type	<input type="checkbox"/> Enhancement/Restoration Project <input checked="" type="checkbox"/> Land/Water Right Acquisition <input type="checkbox"/> Grant Matching/Leveraging <input type="checkbox"/> Extra Water
Funding Amount	<input type="checkbox"/> \$25,000 and under <input type="checkbox"/> \$25,001 to \$200,000 <input checked="" type="checkbox"/> \$200,001 and over
Location	<input checked="" type="checkbox"/> Lower Sultan River basin <input type="checkbox"/> Upper Sultan River (including Spada and its tribs) <input type="checkbox"/> Sultan/Skykomish Rivers Confluence <input type="checkbox"/> Skykomish River <input type="checkbox"/> Snohomish River <input type="checkbox"/> Estuary

Project Information	
Name	Carlson Property Acquisition
Location	<p>Property is located at 12326 Trout Farm Road. Property is situated along the left bank of lower Sultan River at approximately RM 2.5 and includes a section of Trout Farm Creek adjacent to Trout Farm Road. This property is roughly 1,000 feet downstream of the Snohomish PUD Trout Farm Road Recreation Site.</p> <p>Additional details and pictures provided on Zillow listing below: https://www.zillow.com/homedetails/12326-Trout-Farm-Rd-Sultan-WA-98294/38462586_zpid/</p> <p>Please attach a map and photos of the project area. List GPS coordinates, if possible.</p>

Project Information	
Objectives	<p>Acquire 2.83 acre parcel to remove prevent future development immediately adjacent to Sultan River and Trout Farm Creek, a tributary to the Sultan River. Remove existing structures and septic system and obtain any existing water right/claim associated with property. Remove interior fences, manage noxious weeds, and revegetate site. Address 33% passable fish passage barrier on Trout Farm Creek beneath existing driveway (see attached WDFW report). Allow riparian community to re-establish to the benefit of the Sultan River and Trout Farm Creek.</p>
Description:	<p>Rural Snohomish County is under constant development pressure. The Carlson property is being sold to settle an estate. The structures on the property are in rough shape so the property is not able to be financed through conventional financing. The value is in the land and the price point is high enough to limit the potential for a cash purchase. Therefore, this is a unique opportunity that warrants ARC consideration recognizing that a cash purchase from another party may occur.</p>
Benefits:	<p>Largely as stated in objectives presented above.</p>
Methods:	<p>District Natural Resources will work with its Real Estate and Environmental Affairs for due diligence acquisition and environmental review</p>
Monitoring/Land Management:	<p>Consistent with past practices and acquisitions under the FHE, 10% will be set aside for monitoring and management of site, as necessary.</p>

Project Schedule						
Time Frame	Almost entirely in 2023 with some potential carry-over into 2024					
Detail						
Activity	Quarter, Year	Quarter, Year	Quarter, Year	Quarter, Year	Quarter, Year	Quarter, Year
Option presented with offer	3Q2023					
If accepted, conduct Due Diligence	3Q2023	4Q2023				
If no additional concerns, purchase and acquisition	4Q2023	1Q2024				

Proposed Budget								
Detail of Amount Requested from District								
	Staff Time (with benefits)	Travel	Supplies	Permits	Contractor/ Consultant	Monitoring/Land Mgmt (10% min.)	Misc. PURCHASE	TOTAL
Amount	\$10,000	\$	\$	\$	\$150,000	\$40,000	\$472,000*	\$672,000
Explain Misc. Costs	Property is listed at \$472,000 (actual purchase price: *fair market value based on appraisal), Due Diligence (Environmental Review) \$10,000, removal of structures \$50,000, fish passage improvements \$90,000							
Amount Requested from District				\$672,000				

Fund Matching/Leveraging, if applicable	
Name of Match Organization, if any	
Match type	<input type="checkbox"/> Pending Match <input type="checkbox"/> Confirmed Match
Is this project contingent on receiving matching/leveraged funds?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
Amount of Match	\$

Instructions

Please provide the following information for the Project Proposal Form:

- **Applicant Contact Information** – add content for the primary ARC member responsible for introducing and coordinating the project proposal. If there is an ARC co-sponsor, please indicate his/her name in the ARC Applicant Name field as a “co-sponsor” after the primary sponsor.
- **Project Type** – you may make multiple selections if needed for each field.
- **Name** – name of the project. If this is a fund matching/leveraging request, use the same name as the primary grant application.
- **Objective (max ¼ page)** – identify overall objective of the proposed FHE project.
- **Description (max 1-5 pages)** – amount of information should be commensurate with the amount of funds being requested (1 page max. for \$25,000 and under; 3 page max for \$25,001 to \$200,000; 5 pages max for \$200,001 and over). Provide a description of the problem, impacts to resources, what is anticipated to be done, scope of work, work products, reporting, ongoing monitoring, etc. If this project is identified in a Recovery Plan or similar, state which one.

Please provide the additional information for the project type for which you are applying:

- **For Grant Matching/Leveraging (non-District project):**
 - **Description:** Clearly state for what project this is a grant match, requesting organization and from what funding board/council, percent match requested compared to full project cost. Attach grant information. Additionally, state how the project will benefit the fishery of the Sultan River.
 - **Time frame:** State the timeframe to complete the project and also the timeframe on when the funds would be allocated.
- **For Land Acquisition:**
 - **Description:** Clearly state the details of the land/easement, by what mechanism (fee simple, easement, agreement, etc.) would it be owned, what the land will be used for, and length of commitment.
- **For Enhancement Project:**
 - **Description:** Clearly state if the project is to be completed with oversight by the District in whole, in conjunction with another party or exclusively by another party.
- **Benefits (max 1/2 page)** – what aquatic benefits are anticipated by the action; articulate multiple resource benefits if appropriate.
- **Methods (max 1 page)** – description of proposed method. Use this method for budgeting.
- **Monitoring/Land Management (max. 1 page)** - The short-term and long-term monitoring, maintenance, and management requirements and costs of each proposal will be considered. Most projects should have a monitoring component, but that should be specifically targeted and concise. Monitoring should answer one of two questions: 1) does the project function as designed and/or 2) does this project produce benefits that we would want to duplicate by funding similar projects? Ongoing land management must also be taken into account and indicated in the proposal.
- **Proposed Schedule Time Frame and Detail** – identify the month and year for when the project is anticipated to begin and when the project would be completed. Identify the major tasks and relative timeframe to accomplish each task. Schedule must identify time needed for permitting and monitoring of the proposed FHE project.

Appendix 2

Consultation Documentation Regarding Draft Report

Presler, Dawn

From: Presler, Dawn
Sent: Friday, May 24, 2024 10:29 AM
To: Anne Savery; Anna Thelen (AThelen@everettwa.gov); Brock Applegate; Elizabeth Babcock; Jeff Garnett; Mike Rustay; Nate Morgan; Richard Vacirca; Scott Bohling; Tom O'Keefe
Cc: Andrew McDonnell; Keith Binkley; Legare, Kyle; Kees, Ashley
Subject: Jackson Hydro (FERC No. 2157) - FHE 2023 DRAFT Annual Rpt for your 30d review by June 24
Attachments: 2023 FHEP Annual Report.docx

Dear ARC –

Please see attached draft Fish Habitat Enhancement 2023 Annual Report for your 30-day review and comment period. Please send comments, if any, back to me by June 24 COB. As always, emails stating concurrence or no concerns are appreciated too. (I am still tracking down the interest we got in 2023 but that'll only add to the fund balance 😊). Basically, we have ~\$1.2M in non-allocated money to spend right now for future projects, and another ~\$300,000 will be added in September for the annual payment. It sounds like from Keith, that we'll be seeing a Herrera report soon for potential projects that we can discuss with you at the July ARC meeting (if not sooner). Stay tuned.

Enjoy the extended holiday weekend.

Cheers,

Dawn Presler, MSIM MSSM (she/her)

Lead – Environmental & Licensing Compliance
Natural Resources, Generation | Snohomish PUD

O: 425-783-1709 | **C:** 425-725-0745
2320 California Street, Everett WA 98201
www.snopud.com



Note: Emails and attachments sent to and from the PUD are public records and may be subject to disclosure.

CERTIFICATE OF SERVICE

I hereby certify that on this I have day served via e-mail a copy of the foregoing filing upon each person or entity specified in the order to be consulted on matters relating to the filing, per paragraph (K) of the Jackson Hydroelectric Project License dated September 2, 2011.

Dated at Everett, WA, this June 25, 2024.

/s/ Dawn J. Presler

Dawn J. Presler
Lead – Licensing & Compliance
Public Utility District No. 1 of Snohomish
County
2320 California Street
PO Box 1107
Everett, WA 98206-1107
(425) 783-1709
DJPresler@snopud.com

Presler, Dawn

From: Presler, Dawn
Sent: Tuesday, June 25, 2024 6:36 AM
To: Anne Savery; Anna Thelen (AThelen@everettwa.gov); Brock Applegate; Elizabeth Babcock; Jeff Garnett; Mike Rustay; Nate Morgan; Richard Vacirca; Scott Bohling; Tom O'Keefe
Cc: Andrew McDonnell; Keith Binkley; Legare, Kyle; Kees, Ashley
Subject: Jackson Hydro (FERC No. 2157) - cc: FHE 2023 Annual Rpt to FERC
Attachments: 20240625 FHEP 2024 Annual Rpt to FERC.pdf

Dear ARC Members – attached is your cc: of the final Fish Habitat Enhancement 2023 Annual Report I will be e-filing with FERC this morning. I look forward to our July 10 ARC meeting to discuss new potential projects for which we could use some of these funds. Let me know if you have any questions regarding the FHE fund. Thanks.

Cheers,
Dawn

From: Presler, Dawn
Sent: Friday, May 24, 2024 10:29 AM
To: Anne Savery <asavery@tulaliptribes-nsn.gov>; Anna Thelen (AThelen@everettwa.gov) <AThelen@everettwa.gov>; Brock Applegate <brock.applegate@dfw.wa.gov>; Elizabeth Babcock <elizabeth.babcock@noaa.gov>; Jeff Garnett <Jeffrey_Garnett@fws.gov>; Mike Rustay <mike.rustay@co.snohomish.wa.us>; Nate Morgan <nate.morgan@ci.sultan.wa.us>; Richard Vacirca <richard.vacirca@usda.gov>; Scott Bohling <sboh461@ecy.wa.gov>; Tom O'Keefe <okeefe@americanwhitewater.org>
Cc: Andrew McDonnell <AWMcDonnell@SNOPUD.com>; Keith Binkley <KMBinkley@SNOPUD.com>; Legare, Kyle <KJLegare@Snopud.com>; Kees, Ashley <ACKees@SNOPUD.com>
Subject: Jackson Hydro (FERC No. 2157) - FHE 2023 DRAFT Annual Rpt for your 30d review by June 24

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Dawn Presler, MSIM MSSM (she/her)
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