

MEETING SUMMARY
COOPER LAKE PROJECT RELICENSING
SETTLEMENT WORKING GROUP MEETING
JANUARY 12, 2005 (CHUGACH TRAINING ROOM)

Attendance:

Margaret Beilharz (phone)	USDA Forest Service (USFS)
Dave Blanchet	USFS
Phil Brna	U.S. Fish and Wildlife Service (USFWS)
Karen Demsey	Long View Associates (LVA)
Jim Ferguson	Alaska Department of Fish and Game (ADFG)
Suzanne Fisler	Alaska Department of Natural Resources, Parks division (ADNR-Parks)
Todd Glass	Heller Ehrman
Bill Hauser	Alaska Flyfishers
Carol Johnson	Chugach Electric Association (Chugach)
Jan Konigsberg	Natural Heritage Institute
Mike Massin (phone)	Pinon Services (Chugach)
Joe Meade	USFS
John Morsell	Northern Ecological Services (NES)
Sally Morsell	HDR Inc. (HDR)
Steve Padula	LVA
Larry Peltz	NOAA Fisheries
Gary Prokosch	ADNR, Water Resources division (ADNR-Water)
Robert Ruffner (phone)	
Jim Topolski	Chugach
Cassie Thomas	National Park Service Rivers and Trails Program (NPS)
Burke Wick	Chugach

Planned Agenda:

- TWGs and Legal Subgroup updates / status reports
- Discuss draft settlement issues matrix (“Analytical Framework for Relicensing Settlement Negotiations,” dated January 5, 2005)
- Follow-up regarding potential sources of outside funding
- Discuss draft AIP framework (skeleton document)
- Status check — Where are we? Next steps?
- Review TWG assignments (and any other action items)
- Confirm plans for February meetings

Handouts Provided:

The following documents were distributed prior to the meeting for the SWG's consideration:

- *Cooper Creek Instream Flow Proposal*. Provided by agency and NGO representatives.
- *Cooper Lake Project (FERC No. 2170) Analytical Framework for Relicensing Settlement Negotiations*. Review draft dated January 5, 2005.

Meeting Summary:

I. Report on Technical Working Group (TWG) and Legal Subgroup Meetings

Participants in the various TWG and Legal Subgroup meetings that had been held between January 7 and January 11 summarized the substance of those meetings. The TWG meetings included the Fish Habitat Working Group (January 7), ROW/Access Working Group (January 10), and the Recreation Working Group (January 11). The Legal Subgroup meeting was held on January 11. Proceedings of those meetings are summarized separately.

II. Analytical Framework

The SWG discussed the second iteration of the *Analytical Framework for Relicensing Settlement Negotiations*, with revised format and draft substance prepared by LVA. The SWG generally agreed this document would be a good tool for capturing the results of the SWG's deliberations. Some SWG members indicated they would be providing substantive comments subsequent to the meeting.

III. Cooper Creek

After some discussion, the SWG decided to begin the discussion of relicensing issues and potential solutions with the topic of Cooper Creek. Agency and NGO representatives presented a chart showing a proposed flow regime for Cooper Creek. This generated a substantial amount of discussion. Chugach, in turn, presented a possible funding approach utilizing annual payments that could fund PMEs through the license term (including PMEs for Cooper Creek). The SWG discussed at length the issue of fund accumulation vs. timing of PME measure implementation. It was generally agreed that there could be some flexibility among the many variables that could potentially yield a common-interest solution.

IV. Plans for Upcoming Meetings

The SWG discussed next steps and identified action items for the next meeting. An additional meeting was scheduled for January 25; the purpose of this meeting would be to continue the discussion of possible approaches for providing Cooper Creek flows. The SWG also agreed that the other (non Cooper Creek) relicensing issues and planned agenda topics not discussed at the present meeting would be discussed at the February 1–2 SWG meeting.

The meeting adjourned at approximately 3:00 P.M.

Action Items:

Chugach was assigned various tasks related to providing further details and cost estimates related to various mitigation proposals for Cooper Creek.

Next SWG/TWG Meeting:

Date: January 25, 2005

Location: TBD

Proposed agenda (preliminary):

- Cooper Creek discussion: status, next steps

Calendar Overview:

[*Note:* The following dates are currently being held for settlement negotiations related meetings, including technical working group sessions, Settlement Working Group meetings, and/or caucus sessions as needed. Specific dates and agendas to be confirmed.]

- Jan. 24 Snug Harbor Road TWG meeting
- Jan. 25 SWG / Fish Habitat TWG meeting
- Feb. 1–2 SWG meeting
- Feb. 23–24 SWG/TWG/Legal meetings (TBD)
- Mar. 10–11 SWG/TWG/Legal meetings (TBD)