SULTAN CITY COUNCIL
AGENDA ITEM COVER SHEET

ITEM NO: A-3

DATE: June 11, 2009

SUBJECT: Contract Amendment for Consulting Service with AMEC

CONTACT PERSON: Deborah Knight, City Administrator

ISSUE:

The issue before the City Council is to authorize the Mayor to sign a contract amendment (Attachment A) with AMEC not to exceed $7,557.

The original contract was not to exceed $5,000. The time required to complete the requested services exceeded the agreed to budget for this fixed price contract by $2,557. Although city staff did not request work outside of the budget, AMEC is requesting the City council consider paying for the work that was completed.

STAFF RECOMMENDATION:

Authorize the Mayor to execute a contract amendment with AMEC with total payment not to exceed $7,557 for work performed reviewing the Public Utility District No.1 of Snohomish County (PUD) preliminary license proposal (Attachment B).

SUMMARY:

The City Council discussed the PUD relicensing process for the Jackson Hydroelectric Project at its January 8, 2009 Council meeting. The City Council directed staff to return with a consultant contract and scope of work to review PUD's preliminary license proposal (PLP). The Council approved a contract not to exceed $5,000 at the January 11, 2009 meeting.

Under the proposed contract, AMEC provided the City with comments and recommended mitigation measures on proposed actions in the PLP including fish habitat, hydrology, flood storage, recreation and safety issues that might conceivably affect the City's interests.

AMEC staff spent an additional 20 hours to produce its final comments which were submitted to PUD during the formal comment period. The comments are intended to protect the community's interest during the relicensing process.

FISCAL IMPACT:

The contract with AMEC was not to exceed $5,000. The request is for an additional $2,557. Although the work was not included in the 2009 budget, the City has the funds available to pay for the additional work.

ALTERNATIVES:

1. Authorize the Mayor to sign a contract amendment with AMEC not to exceed $7,557. This alternative would pay for the work performed to provide staff with comments and recommended mitigation measures to submit to PUD during the PLP comment period.
2. Do not authorize the Mayor to sign a contract amendment with AMEC not to exceed $7,557.

RECOMMENDED ACTION:

Authorize the Mayor to execute a contract for services with AMEC to review the Public Utility District No.1 of Snohomish County (PUD) preliminary license proposal as outlined in the scope of work.

ATTACHMENTS:

A – Proposed contract amendment with AMEC
B – Comments PUD Preliminary License Proposal

FIRST ADDENDUM
BY AND BETWEEN THE CITY OF SULTAN AND AMEC, INC.

THIS First ADDENDUM is made by and between the City of Sultan (hereinafter referred to as "City"), a Washington Municipal corporation, and AMEC (hereinafter referred to as "Service Provider") doing business at 11810 North Creek Parkway North, Bothell, WA 98011.

WHEREAS, on January 26, 2009, the City and the Service Provider entered into that certain Agreement for Services ("Agreement") for the provision of planning and engineering services, and

WHEREAS, the City and Service Provider agree to amend the Agreement to provide for additional payment for services rendered; **NOW THEREFORE,**

IN CONSIDERATION OF the mutual promises, terms and conditions set forth in the Agreement and contained herein, the Parties hereby agree as follows:

Section 1. Amendment of Payment

Section 2 Payment of the Agreement is hereby revised to provide in its entirety as follows:

2. Payment.

A. The City shall pay Service Provider not more than a total of seven thousand five hundred and fifty seven dollars ($7,557) for the services described in this Agreement. This is the maximum amount to be paid under this Agreement, and shall not be exceeded without prior written authorization from the City in the form of a negotiated and executed supplemental agreement.

B. Service Provider shall submit monthly payment invoices to the City after such services have been performed, and the City shall make payment within four (4) weeks after the submittal of each approved invoice. Such invoice shall detail the hours worked, a description of the tasks performed. Travel time, meals and meetings are included in the cost of services and shall not be billed separately.

C. If the City objects to all or any portion of any invoice, it shall so notify Service Provider of the same within five (5) days from the date of receipt and shall pay that portion of the invoice not in dispute. The parties shall immediately make every effort to settle the disputed portion.

Section 2. Effect of Addendum. This 1st Addendum is in addition to the Agreement. Except as otherwise provided herein, the provisions of this 1st Addendum modify, but do not supersede the provisions of the Agreement. Except as otherwise provided herein, each provision of the Agreement shall continue in full force and effect as if this 1st Addendum did not exist. Except as otherwise provided herein, capitalized words and phrases shall have the meanings ascribed to them in the Agreement.

IN WITNESS WHEREOF, the parties have caused this Addendum to be signed and executed this 12th day of June, 2009.

CITY OF SULTAN:

By: _____
Mayor Carolyn Eslick

SERVICE PROVIDER:

By: _____
Title: _____
Taxpayer I D Number:_____
Address: _____
Phone: _____

ATTEST/AUTHENTICATED:

By: _____
City Clerk

APPROVED AS TO FORM:

By: _____
Office of the City Attorney

Agreement Scope of Services

The City of Sultan (City) is interested in participating in review of the Preliminary License Proposal (PLP) for the Henry M. Jackson Hydroelectric Project that was recently drafted by Public Utility District No.1 of Snohomish County (PUD). Regulated by the Federal Energy Regulatory Commission (FERC), the Jackson project affects the flow regime and shoreline resources of the Sultan River. The City of Sultan, which is located at the confluence of the Sultan and Skykomish Rivers, has a history of flooding that has negatively affected residential, commercial, and city-owned properties along the lower river including many properties in the central business district. Operation of the Jackson project under the terms of a new license may influence the frequency and magnitude of flooding, fish habitat, river hydrology, recreation opportunities and the safety of life and property in the Sultan community.

- AMEC Earth & Environmental (AMEC) staff will assemble and conduct a limited review of select reports and background information pertaining to the Jackson Project as described below.
- AMEC will review the PLP and provide the City with comments and recommended mitigation measures on proposed actions in the PLP including fish habitat, hydrology, flood storage, recreation and safety that might conceivably affect the City's interests.
- AMEC will provide a brief letter report (maximum length, 10 pages) no late than February 28, 2009 summarizing the results of its findings.
- The report will include recommendations for further negotiations with the PUD for mitigating the effects of the Jackson Project on land uses and riparian habitat in the lower river.
- The review, comments and recommended mitigation measures will be sufficient in detail and scope to allow the City to prepare and submit formal comments to the PUD on the Preliminary License Proposal.
- In addition, limited follow up consultation will be provided to the City to facilitate the City's responses to the PUD on the PLP.

AMEC's review of background information and the PLP will be completed no later than February 19, 2009. Written comment and recommendations will be provided to the City no later than February 28, 2009.

In support of AMEC's review of the PLP and recommended mitigation measures, the City of Sultan will assemble select reports and background information pertaining to hydrologic/hydraulic conditions in the Sultan and Skykomish Rivers, in particular those affected by the Jackson Project. The following documentation will be provided to AMEC by the City of Sultan:

- Recent hydrologic analysis conducted by Northwest Hydraulic Consultants;
- Preliminary Hydraulic Analysis and Floodplain Mapping of river and shoreline areas within the City;
- Federal Emergency Management Agency's (FEMA) Lower Snoqualmie and Skykomish Rivers Flood Insurance Study;

- National Oceanic and Atmospheric Administration's (NOAA) Biological Opinion on the FEMA National Flood Insurance Program (NFIP);

AMEC will assemble and conduct a limited review of other select reports and background information pertaining to the Jackson Project including but not limited to:

- Background reports, data, and maps on historic flooding and shoreline resources;
- Other related information as time and budget allow.

March 30, 2009

Kimberly D. Bose, Secretary
Federal Entergy Regulatory Commission
888 First Street, NE
Washington, DC 20426

Subject: Henry M. Jackson Hydroelectric Project (FERC Project No. 2157)
Comments on December 31, 2008 Preliminary License Proposal

Dear Secretary Bose:

The City of Sultan appreciates the opportunity to be involved in stakeholder consultations related to the relicensing of the Henry M. Jackson Hydroelectric Project (FERC Project No. 2157). As part of this process, the City has reviewed the December 31, 2008 Preliminary License Proposal (PLP) prepared by Snohomish County Public Utility District No. 1 (District).

Provided for your consideration is a summary of comments followed by an attached list of more detailed information referenced to specific sections of the PLP. The City looks forward to further cooperative discussions related to the relicensing of the Jackson Project over the upcoming months including resolution of final terms and conditions for proposed Protection, Mitigation, and Enhancement (PM&E) measures.

The City requests the following points are addressed in the Final License Proposal:

1. A more consistent acknowledgement that flood control is a key component of project operations and planning. Any license agreement must recognize the Project's balance of multiple needs including water supply, in-stream flow, power generation and flood control. The City believes it is necessary to improve flood control and habitat restoration by addressing these issues together in the PM&E measures.

   The City requests the District adopt PM&E measures based upon existing studies that maximize the flood control benefits of the Project for protection of downstream landowners including City of Sultan while providing opportunities for controlled high flows that restore and maintain critical habitat.

   Specifically, this license must formalize flood control operations to ensure continued protection of downstream properties and enable the storage and attenuation of flood levels to be accounted for in future FEMA flood studies.

2. The analysis of flood stage conditions during future project operations should consider whether supplemental PM&E measures are required to reduce effects on flood prone areas at the mouth of the Sultan River, particularly near the City's central business district.

   The analysis should consider inter-relationships of the hydrologic regimes of the Sultan and Skykomish rivers since backwater conditions periodically occur in the CBD when high flows released from the project encounter flood flows in the Skykomish River that are at our near flood stage.

   PM&E measures should address the merits of altering the Skykomish River channel configuration and capacity in the vicinity of the mouth of the Sultan River as presented and discussed during the settlement negotiations in March 2009.

3. Confirm what circumstances would warrant the application of a higher seismic design standard when Culmback Dam's seismic integrity is next evaluated in the future. PM&E measures must address when and how frequently future seismic analyses will occur and what conditions or circumstances would trigger the need for re-analysis.

4. The City has concerns regarding potential flood risks that could jeopardize public safety and property in the event of another landslide that results in a flow blockage in the Sultan River canyon. The PM&E measures must include Emergency Response Plans and fund warning systems that proactively assess potential future incidents of this type and provide sufficient notice of flood hazards based on current technology over the life of the license.

5. Inclusion of project related effects and mitigation measures on forecasted socio-economic conditions in the City of Sultan and Snohomish River Watershed over the life of the license. Mitigation measures should include consideration of adopted plans and policies under the Growth Management Act particularly as related to proposed project facilities, operations, and mitigation measures on shorelines of the state, environmental critical areas, future growth, and land uses.

   The population in the City of Sultan is expected to increase from 4,500 people to 20,000 people over the proposed 50-year license period. The surrounding unincorporated area is also expected to increase significantly putting pressure on the Project boundaries. The PM&E's propose adding the Trout Farm Road access site and off-channel habitat projects to the project boundaries. The amended project boundaries will be within Sultan's city limits and urban growth area as defined by Washington State.

   This information is essential to provide a sufficient basis for understanding how project facilities and operations will affect the management of local and regional resources including opportunities and constraints to the City's growth. The license must mitigate these impacts.

6. The City enthusiastically supports the District's plans to provide accessible public communications and notices using web-based platforms or other current technology over the life of the license. As envisioned, the PM&E's must provide an effective means to convey real time project information, timely notifications on access and recreational resources, and information of an interpretive or educational nature. The City recommends the PM&E's recognize and prepare for enhanced use of the Internet, the District's website and handheld

devises by Project users over the life of the license. Any long-term dependence on written brochures, maps and signage may be obsolete during the life of the licenses.

7. The City has strong interest in maintaining cooperative involvement with the District in developing and implementing certain PM&E measures such as those involving habitat process flows. In particular, the City is interested in reviewing future study plans, results, and design information relative to re-establishment of side-channel flows. The City also is interested in future design information that further evaluates potential effects of implementation on properties within the City's current or future jurisdiction. The Recreation PM&E measures must note that certain measures undertaken will require approvals under City code including but not limited to shoreline permits.

8. The City supports the District's efforts to enhance the project's recreational amenities to the extent this provides optimal benefit to the public while sufficiently managing potential risks to public health and safety and the environment.

9. The City requests that properties directly or indirectly affected by re-establishment of side channels in the lower river become incorporated into the project boundary subject to mutual agreement of involved owners. Side channel re-establishment could result in changes to the local hydrogeology of adjacent parcels with potential consequences to septic systems, foundations, drainage, and expanded critical area buffers that could have impacts on future development and land uses.

If you have questions related to these comments or the enclosed attachment, please do not hesitate to contact me directly.

Sincerely
City of Sultan

Deborah Knight
City Administrator

cc: Mayor Carolyn Eslick
Sultan City Council
Dawn Pressler, Snohomish PUD #1 Relicensing Specialist

Attachment: Detailed List of PLP Comments

1.1 Purpose and Structure of Preliminary License Proposal (p. 1)
Flood control within capability of project;
As stated in paragraph 1, providing flood control *within the capability* of the project is one of four key requirements of the project. This should be consistently reflected throughout the document.

1.2 Relicensing Goals and Objectives (p. 2)
"…that will allow the Project to continue to operate in an economically feasible manner and protect the high quality public water supply *in balance with* fish, wildlife, recreation, and cultural resources."

Should consider expanding the statement to read "and the long-term public safety and socio-economic vitality of the City of Sultan, Snohomish County and other local municipalities in the Snohomish River watershed."

(p.3) First bullet mentions "environmental values" but makes reference only to natural resource and recreational based values. This statement should be revised to read "…power, socio-economic/natural resource values such as fish…..". This is more consistent with the top paragraph of page 4 which refers to "natural and social resources."

Long term economic benefit and stability for communities (p. 3 second to last bullet) Lack flood control and public safety. Bullet should be expanded to also state "including a defined measure of flood protection." This bullet also makes reference to "co-licensees" and should be revised to "all stakeholders served by the licensee."

2.1 Process Plan and Schedule (p. 4) Third paragraph makes reference to the 50 year license yet the plan and many of its protection, mitigation, and enhancement (PM&E) measures often address issues that appear to reflect a snapshot in time. A more long-term vision needs to be comprehensively integrated into the plan with provision for adaptive management concepts and procedures that address changes that may result from our climate, the natural and built environment, and evolving technology.

Table 2.1

Late agreement to add flood control analysis. Add flood control analysis work at the request of Snohomish County and City of Sultan to address the flood control/management issue.

3.1 Lands and Waters Overview (p. 13)

Lacking discussion of long term land use. 50 Year permit. Discussion should describe the expected growth and land use changes anticipated in project lands and surrounding areas. Land use planning projections should be consistent with Puget Sound Regional Council growth targets for region.

Section 3.1 provides a general description of historic and existing conditions related to lands affected by the project. Since the PLP addresses plans and programs to be implemented under the new license over a 50-year horizon, it is vital that the future vision and land management planning strategies related to such lands also are described. This will provide a better context for proposed operations over the next five decades. This can be captured from the adopted regional and local comprehensive plans of Snohomish County and City of Sultan that have been prepared in compliance with the Growth Management Act. This also should reflect land management plans of resource agencies with holdings within the Sultan Basin and downriver areas.

Since providing flood control *within the capability* of the project is one of four key requirements of the project, a new section (3.5) should be added that provides an overview of the historic flow regime of the Sultan River system (before and after operation of the Jackson Project – summarized from Figure 4-8) relative to the magnitude and timing of flows, general morphologic changes to the river channel and adjacent riparian communities, and flooding in the lower river. This also should include a general description on how future operations under the new license would affect the flow regime, river channel, and flooding of lands in the lower river relative to future land uses as documented in regional and local comprehensive plans. The last paragraph of Section 4.2 provides some of this information (pre-project flow regime).

4.2 Project Location (p. 18) – Figure 4 – 1 should be supplemented (local)

An additional figure of the Sultan River Watershed should be provided. It could be of a similar scale and content as Figure 4-5 including key features of the watershed, Jackson Project facilities, tributaries, and river miles.

Figure 4-4 of the diversion dam should be referenced at the top of p. 19 where it is mentioned in the third sentence.

The last paragraph of Section 4.2 on p. 19 should be moved to a new Section 3.5 as described above as it is more relevant to an overview of waters and not part of the project location. As mentioned, the discussion should be expanded to include an overview of flow conditions that have occurred since Stage I and Stage II operations as well as anticipated conditions under the new license.

4.3.1 Incidental flood storage – Date shows operating curves provide more than incidental.

The 58,500 acre-feet in flood storage capacity prior to the onset of the October to December rains is 38% of the gross storage capacity. The District should provide an explanation why is this level of storage is considered “incidental”?

The second to last paragraph on p. 21 should include a description of fish screens installed on the intake (or why they have been excluded).

4.4 Existing Project Operations and Maintenance (p. 23)
This section should include a description on how the current Project Operating Plan manages flows for flood control.

The last two paragraphs on p. 25 should describe any existing or proposed fish screening for the intake to the pipeline/tunnel between the Diversion Dam and Lake Chaplain.

4.4.2 Reservoir Operations –flood control (p. 26)
It would be useful to illustrate the extent to which floodwater storage in the reservoir reduces peak flows in the lower river by including a figure showing an annual hydrograph of daily flow exceedance plots in the lower river over the past years of record with separate plots for pre-project and post-project years.

4.5 Proposed Operations and Maintenance Plan – add flood control (p. 30)
Should include a bullet describing how the proposed operations plan would affect flood control capabilities.

5.1.1.3 Seismicity – Supplemental seismic analysis should be conducted including a more descriptive assessment of event probability (p. 32).

A 7.0 to 7.5 magnitude seismic design standard established on the basis of US Bureau of Reclamation procedures was applied to Culmback Dam in a 1990 study conducted by Woodward-Clyde Consultants. In 2001, MWH evaluated Culmback Dam relative to seismic forces anticipated from an event of this magnitude and determined the dam would be capable of withstanding such forces. Based on the analysis, MWH determined the structure is "*expected* to withstand the Maximum Credible Earthquake" for its given location.

The District should provide analysis on the level of confidence associated with this statement and the professional basis for applying a higher design standard in the interest of improving the level of certainty for this analysis.

The City requests confirmation regarding whether a 7.0 to 7.5 magnitude seismic design standard is currently applicable and will continue to be applicable over the life of the license. The District should describe what circumstances over the life of the license would trigger a re-analysis of the dam's seismic vulnerability and the potential need for a stability retrofit.

5.1.1.6 Slope Stability (p. 33/34) – The last sentence indicating that flow blockages in the Sultan River below Culmback Dam are temporary and eventually wash downstream seems to downplay the potential flood risk that could result from such events. Should the river become temporarily blocked by a substantial barrier that is subsequently breached, resulting flows could jeopardize people, property, and livestock in the lower river floodway. Because of the steep V-shaped valley walls in the gorge, it is expected that landslides along the river will continue to occur (p. 34 last sentence).

5.1.3 Proposed Protection, Mitigation and enhancement Measures (p. 35).

As a result of seismic and ongoing slope stability issues, the PM&E measures must include replacing the inoperable warning system in Sultan provided by PUD in the 1980's to mitigate the Project's impacts on life and property with a regionally coordinated siren warning system that meets Department of Emergency Management criteria.

Providing a telemetry gage (at the beginning of the river's floodplain near the BPA transmission lines) beyond which no further landslides could occur would further enhance public safety. The gage would detect sudden flow reductions/blockages and convey such information to the community flood warning system.

An emergency response plan (including appropriate investments in technology and training for the City of Sultan) should be established and periodically updated over the life of the license to address the eventuality of a flow blockage and how it would be resolved in a manner that would minimize downstream flood risks to people, property, and aquatic resources.

5.2.1.1.1 Reservoir Management – flood only incidental (p. 36)
Commit to operate for flood control in State 3. Define "incidental floodwater storage" and "significant incidental floodwater storage" in the document. Formally recognize current operation of the Project to balance multiple needs including flood control.

5.2.1.1.2 Sultan River Flows – (p. 37) Winter steelhead fishery recreational flow – The Project should conspicuously display and maintain signage along the river particularly at public access points informing anglers of flow fluctuations planned to facilitate fishing access. There also should be a means for anglers to determine (with sufficient prior notice) if flow reductions will actually be occurring on a given weekend (web-based communications). Address the increased use over the life of the license of handheld devises (such as cell phones) for real time information. Enhance the District's website to convey real time information to recreation users.

5.2.3.1 Water Quality PM&E Analysis (p. 57/58)
Change reservoir management re: revising rule curves. Additional resource protection against flooding following spawning
The City supports the District's proposal to change reservoir management by revising the reservoir operation rule curve to accommodate flow release modifications and offer additional resource protection against flooding during or immediately following spawning. Specifically, the City supports the PM&E measure to "revise reservoir rule curve to accommodate the proposed flow changes and increase reservoir storage capacity during high precipitation events."

The revised rule curves must formalize flood control operations to ensure continued protection of downstream properties and enable the storage and attenuation of flood levels to be accounted for in future FEMA flood studies.

5.2.3.1.3 Control Maximum Flow During Salmon Spawning (p. 61)
Describe the anticipated incremental reduction in peak flood flows (in terms of flow frequency, magnitude, and duration) during the October and November salmon spawning season in OR 1 (powerhouse to river mouth) as a result of the proposed change in reservoir management.

5.2.3.1.4 Provide Habitat Process Flows (p. 62)
Support with rule curve for flood control

Habitat process flow releases should not occur when the river stage in the Skykomish River is substantially elevated in order to avoid backwater flooding in the City of Sultan. Perhaps such releases could occur just prior to the normal period of spring freshets (before snow melt is released) to facilitate downstream migrating salmonid smolts. Elevated flow releases in the fall could adversely affect incubating salmonid eggs.

Effects, resulting from the magnitude and duration of such releases on side channel formation, must be regularly monitored over life of the license to ensure habitat creation and maintenance objectives are being achieved. Re-establishment of side channel flows must not directly or indirectly affect private- or public-owned properties within the City of Sultan to preclude opportunities related to changing land uses surrounding such parcels.

5.2.3.1.5 Proposed White Water Boating Flows (p. 63)
Support Option A – Annual
Should determine if such boating flows could occur at the onset or end of the habitat process flow release. Also should ensure that releases would not result in potential backwater flood conditions near the river mouth in the event the Skykomish River is nearing flood stage.

5.2.3.1.6 Controlled Flows During Steelhead Fishing Season (p. 64)
Controlled flows for fishing should be combined with flood control. More than incidental.
Clarify flow reduction will not occur after 14 days if doing so would elevate the reservoir from state 3 to state 2 and pose a future downriver flood risk.

5.2.3.1.7 Revise Reservoir Rule Curve (p. 65)
Specific requirement (rule curve) for flood control
PUD proposing to expand State 3 from July to September to lower Spada Lake to prevent spills in October –
State the proposed revision to the reservoir rule curve will result in a beneficial reduction of the flood risk during the fall.

5.2.3.2 Water Quality PME Cumulative Analysis (p. 71)
Support more stable flows with recognition of flood control. Based on Figure 5.2-12, there isn't much change in reduced flood flows in the lower river (OR-1) under the wet year scenario with respect to the exceedance of bank full conditions (over 4,000 cfs).

5.3.3.1.5 Sultan River Below Culmback Dam – Aquatic Habitat (p. 77)
Last bullet on p. 80 states that it is probable another large landslide *will* occur in the Marsh Creek area. Should such an event occur, it could present a flood risk downriver if a sizeable amount of water temporarily
accumulates and then is released from the breached blockage. See previous comments presented for Section 5.1.1.6.

The City is requesting a PM&E measure to work cooperatively with downstream authorities to develop and fund an emergency response plan (including appropriate investments in technology and training for the City of Sultan, Fire District 5, Snohomish County Sheriff's Office, and Snohomish County Department of Emergency Management) to establish and periodically update over the life of the license to address the eventuality of a flow blockage and how it would be resolved in a manner that would minimize downstream flood risks to people, property, and aquatic resources.

5.3.3.1 Sultan River Aquatic Habitat (p. 123) Manage and regulate flows for aquatic habitat also minimizes flooding.
Proposed measures should describe the flood control benefits of managing and regulating flows.

5.3.3.1.1 Modify Minimum Instream Flow Schedule (p. 123) The top paragraph on p. 127 indicates that increased minimum flows in the lower river (OR-1) will re-establish side channel connectivity and increase off-channel rearing habitat for salmonids. Re-establishing side channels also will expand the flow capacity of the main channel and reduce flood risks downriver. Should assess the nature and magnitude of effects to properties within the affected riparian corridors of the lower river as a result of re-establishing side channels.

5.3.3.1.3 Control Maximum Flow During Salmon Spawning (p. 128)
The PM&E measure should emphasize the District's efforts to minimize flows above 550 cfs from 15 September to 15 October especially during wet years.

5.3.3.1.4 Provide Process Level Flows (p. 129).
PM&E measures should ensure that process flows are not released at times when the Skykomish River is approaching flood stage so as to avoid adding increased flood risks to properties in the lower river caused by a backwater effect.

5.3.3.1.5 Ensure Connectivity with Existing Side Channels (p. 131)
See comment immediately below.

5.3.3.1.6Create New Habitat (p. 133)
The District must sufficiently evaluate potential indirect effects of re-establishing relict side channels relative to groundwater conditions and potential consequences to wells, septic systems, foundations, etc. in and adjacent to the floodway.

5.3.3.2.1 Monitor Salmon and Steelhead Escapement (p. 144)
The District should explore educational volunteer partnerships involving Sultan High School in support of the fish monitoring program.

5.3.3.2.2Steelhead Planting (p. 145)
Steelhead plantings support a popular local fishery. While the District intends to continue supporting this program "as long as it remains effective in providing a public angling opportunity," it is unclear what metric(s) will be used to confirm effectiveness. The District should provide a more descriptive performance standard.

5.3.3.2.3 Control Flows During Winter Steelhead Fishing Season - December to February (p. 145)
32 hours. Saturday – Sunday See 5.2.2.1.2
Since the proposed measure would occur on an infrequent basis, there needs to be a mechanism for notifying the public that flows will be reduced to facilitate fishing access. Signage at public access points and a web-based notifications on the Friday before such flow reductions would be helpful in making this measure more effective in achieving its intended purpose.

5.4 Vegetation PME – no comments

5.5 Wetlands and Riparian (map)

5.5.2.2.1Wetlands (p. 184)

Re-establishment of lower river side channels and alteration of related hydrogeology, channel morphology, and wetland communities must be preceded by rigorous investigations to comprehensively assess the range of effects and to determine if a net beneficial effect will likely occur. Because of the location of properties this would involve, the City of Sultan requests funding to support the City's participation in such investigations (confirming study plan, limited participation in site assessments, review and discussion of results). Ultimately, design plans likely will be subject to approval under the City's Shoreline Master Program and Critical Areas Ordinance and Grading Ordinance.

5.5.3 Proposed PMEs

Wetlands (p. 186) revised rule curves for flood control

The final paragraph on p. 186 indicates the extent of riparian cover may (or may not) increase in response to higher flow releases in the lower river. Since the intent of the revised flow regime is to increase the capacity of the active channel, proposed monitoring of channel morphology and stream buffer zones will confirm whether PME objectives are achieved. Because of the uncertainty of whether objectives will be achieved, the District in cooperation with the City should develop contingency measures in advance.

5.7.1.2.3 Recreation and Land Use (p. 209)

Provide a map of existing and proposed recreation sites showing where changes would occur.

5.7.1.1.1 Developed Recreation Facilities (p. 209)

Sultan River area use – Prospecting now allowed in city limits. Float trips Trout Farm Rd to confluence. Legal target, practice site 116th St.

Describe PUD's responsibilities and liabilities related to the use and management of developed recreation sites relative to direct or indirect effects on the City of Sultan. Describe the frequency of monitoring and cleanup on existing and proposed recreation sites. Is there a reason the target practice site on 116th Street is not mentioned as a recreation facility?

The PLP lists mineral prospecting as an allowed use on the Sultan River (p. 211). Consistent with State guidelines, the City's adopted Shoreline Master Program prohibits mineral prospecting on the Sultan River. Snohomish County may prohibit mineral prospecting as well.

The proposed Snohomish County Olney Creek Shooting Range should be identified as a potential future recreational facility to ensure proposed measures or operations do not preclude development or use of the site.

5.7.1.1.2 Recreation Use, Demand and Capacity (p. 212)

5.7.1.2 Land Use (p. 213)

Describe future land use consistent with City and County Comprehensive Plans.

District should identify existing or anticipated future ownerships, land uses, and management plans involving properties adjacent to the project based on the City's adopted Comprehensive Plan (or other documents). A figure showing existing and proposed future land use

classifications under City and County Comprehensive Plans also would show relationships among various land uses, ownerships, and project operations.

5.7.1.1.2General Access Patterns (p. 214)

Should describe future access as related to anticipated land use and roadway changes included in the City's and County's Comprehensive Plans. Should describe plans for the proposed Shooting Park as this could affect traffic loads, circulation, and access patterns.

5.7.1.2.3 Shoreline Management Policies and Buffer Zones (p. 215)

Should describe the relationship of the City of Sultan's adopted Shoreline Master Plan to the long-term development, use, and management of recreational access sites and plans to reconnect former side channels with the main channel in the lower river.

5.7.1.2.4 Floodplains (p. 217)

The PLP mistakenly states, "No Project features are within this [floodplain] corridor." The Trout Farm Road river access is located in the lower Sultan River and situated within the 100 year flood plain. The site is subject to high flows that have been/will be moderated by the project. Reductions in flood risk would beneficially affect this parcel.

5.7.2.1.1 Adequacy of Existing Recreation Facilities to Meet Demand (p. 217)

The second to last sentence should mention that project flows also are controlled for and affect the ecological functions of instream and riparian habitats. The District should clarify how anticipated future recreation use is based on regional population growth estimates (p. 218).

5.7.2.1.2 Effects of Illegal Activities on Recreation Use & Project Lands (p. 219) The City encourages the District to work cooperatively with the City and Snohomish County to monitor remote sites that are of high risk of illegal activities by installing security cameras.

5.7.2.1.3 Flow Dependent Recreation Opportunities (p. 220)

flood control.

The District should analyze recreational demand and use patterns associated with the lower river and determined if there would be sufficient parking capacity at access points including Trout Farm Road. Monitoring commitments should be established in cooperation with the City of Sultan over the life of the license to ensure traffic loads and circulation patterns on City roadways are not adversely affected.

5.7.3 Recreation PME

5.7.3.1.1 Develop and Implement a Recreation Resource Management Plan. (p. 223)

Add advertising and marketing

Recreation Facility Development Program (p. 224)

The Interpretation and Education Program identified as a PME measure in RSP 13 (Recreation Needs Analysis) should consider partnerships with the City of Sultan and local businesses. This could include kiosks and displays containing literature that describe features and benefits of the Jackson Project relative to the local community. Educational/recreational information

(maps and photos of facilities and trails, interpretive info, etc.) should be made available by the District and updated when appropriate.

Communications on recreational opportunities should be readily accessible and make use of current technology and prepare for future technological advancements using an adaptive management process.

Recreation website/wireless access
The District's website should be wireless accessible so the public can be readily notified on fishing and boating opportunities including flow and river stage elevations at key points along the river. The District's website should include a separate recreation page readily accessible from the District's homepage.

Trout Farm River Access Site (p. 229)
This site is located inside city's UGA future city limits. Security cameras should be considered to manage vandalism, illegal dumping, and partying that has been regularly occurring.

Recreation Operations and Maintenance (p. 230)
The District should ensure recreational sites are frequently monitored. Trash and any potential hazardous materials released at the site should be removed on a weekly basis during periods of high use.

Should monitor use to assess if parking demand at Trout Farm Rd access site exceeds capacity or if use creates conflicts with private property or local traffic circulation.

Interpretation and Education
Website, wireless technology, way-finding signs?

Links to the District's webpage that provide interpretation and educational information should be included on City of Sultan's website.

The District should provide support to seasonal interpretive discussions hosted by the City of Sultan and local businesses.

5.7.3.1.2 Provide Whitewater Boating Opportunities (p. 232)
Option A would provide a more predictable schedule for elevating awareness of the white water boating opportunity within the local community.

Enhanced Access and Notification (p. 234) Public notifications of predicted flows and river stage elevations should be hosted on the District's website through enhanced communications methods. The webpage should be robust, reflect real time information, and provide interactive communications with links to the City of Sultan and resource/community groups.

5.7.3.1.3Winter Steelhead Fishing Releases (p. 235)
Notifications should be clearly publicized on the District's website and through other sources to ensure the timing of annual flow controls is conveyed to the public especially considering how infrequently such flow reduction will occur.

5.7.3.2 Land Use (p. 236)

5.7.3.2.1 Changes in the Project Boundary (p. 236)
The City of Sultan would like to better understand the District's proposal to add the Trout Farm Road property and those lands affected by the proposed re-establishment of side channel habitat to the Project boundary. A discussion of the pros and cons (costs and benefits) of the proposal would help the City determine whether to support the District's proposal.

5.7.3.2.2 Changes in Access to the Project Lands or Facilities (p. 238)
Encourage use of real time information based on current/evolving technology to better notify the public about temporary road closures, access restrictions, recreational opportunities, and potential security concerns.

5.9.1.3 Cultural History Information on the cultural history of the project area should be maintained over the life of the license on the District's website with web links also included on the City of Sultan's website.