

## OVERVIEW

The City of Bellingham (City), in coordination with American Rivers (AR) and partners, is planning a multi-benefit project on the Middle Fork Nooksack River. The project aims to improve fish passage for three ESA-listed Puget Sound threatened anadromous fish species by removing the diversion dam while maintaining water supply diversion at the site. The project is currently in the design and permitting phase. For more project information, including a description of the project's Partner Advisory Committee (PAC) and Design Review Team (DRT), visit <https://www.cob.org/services/environment/restoration/middlefork/>.

## THIS MONTH

- **Funding –**
  - The USFWS Puget Sound Coastal Program provided a Notification of Award for \$50,000 towards project design.
  - The Resources Legacy Fund, has confirmed they will provide an additional \$200,000 from their Open Rivers Fund program towards design and permitting.
  - A site visit for staffers to the Congressional delegation (i.e., Murray, Cantwell, and DelBene offices), and Governor Inslee's Office was held on September 17. Representatives from the City of Bellingham, American Rivers, Paul G. Allen Philanthropies, and the Nooksack Tribe attended.
  - The PSAR Large Cap program's project list for funding was approved by the Salmon Recovery Council on September 27th, maintaining the Project's #1 ranking.
  - The Pacific Salmon Treaty (PST) agreement was finalized on September 17. Project staff attended a Pacific Salmon Treaty (PST) briefing meeting in Olympia on September 28. The Project is included in a package of actions that will improve salmon conservation and increase prey for Southern Resident Killer Whales.
- **Design –**
  - A DRT meeting was held on August 1 in Bellingham to review and refine design plans. Comments from DRT members were received; input will be incorporated into October's updated design plans and planning documents. All final design and bid document deliverables are scheduled to be completed by February 2019.
  - Major design items were accomplished:
    - Dam Removal and Channel Restoration Project Elements: Preliminary layout for the portion of channel to be restored following dam removal was completed. Boulder structure locations and configuration were designed. Proposed channel regrade design was incorporated into the 60% design plans. The Geomorphic Assessment Technical Memorandum, which includes design basis, was updated.
    - Water Intake and Bypass Project Elements: A remote power DC system was selected and the new connection to existing tunnel simplified for cost efficiency. Submarine fiber optic communications cable through the tunnel will provide remote monitoring and system operations. Alignment adjustments were made

to minimize impacts to existing features. Operable elements were simplified and reduced to four gates/weirs.

- **Permitting** –

- The SEPA appeal period for the Determination of Non-Significance issued by Whatcom County ended September 6, 2018. No appeals were made, and the SEPA process is complete.
- A WDFW Hydraulic Project Approval (HPA) application was submitted on September 21 and accepted on September 24. WDFW will review the application and make a HPA issuance determination within 45 days of submittal of a complete application. Upon HPA issuance and a letter of WDFW project support, the County shoreline exemption permit application can be submitted.
- A stream shade assessment was completed at the project site on September 4, 2018. A DNR Forest Practices – Class 4 Special Permit application was drafted in coordination with DNR staff.
- The USACE verified that the JARPA was complete and indicated via email that they will be processing the project under Nationwide Permits (NWP) 27 and 12. The USACE will notify the Dept of Ecology of the intended verification of the project under the NWP program, which may streamline Ecology's review under Section 401 of the Clean Water Act.
- A call was held on September 21 with the Department of Ecology's 401/Coastal Zone Management federal permit manager. The call was held to provide an update on the project schedule, reiterate the strong desire to complete the project in 2019, and to discuss potential data needs to enable Ecology to make a determination on the Water Quality Certification permitting pathway under the Clean Water Act, Section 401 permit review. Ecology will be provided with additional information for reasonable assurance the project will comply with state water quality standards. Ecology may pursue an individual permit process, which requires more review time, processing, and a public comment period. A Water Quality Monitoring Report outline was prepared for core team review.
- The USACE coordinated future on-going meetings with the Department of Archaeology and Historic Preservation, affected tribes, and the City to collaborate on development of a Memorandum of Agreement for dam removal, as part of the National Historic Preservation Act Section 106 consultation.
- The DNR Aquatics Land Manager reviewed the JARPA and returned the JARPA Attachment E on September 5, formally acknowledging the project permitting and design occurs on state-managed Aquatic Lands. Confirmation that the in-water components of the project would be subject to a DNR Aquatic Lands lease was received on September 27.
- A Draft Project Effectiveness Monitoring & Adaptive Management Plan was distributed for DRT fisheries and geomorphology review on September 24. Feedback will be used to refine the Draft, prior to distribution to the USFWS River Restoration Team, fishery co-managers, and PAC for further discussion and eventual approval.

- The draft project Fish Salvage Plan, Project Effectiveness Monitoring & Adaptive Management Plan, Geomorphic Assessment Technical Memorandum, and project design documents have been updated and will be sent to the USFWS and NMFS in October with 60% design plans to initiate formal review as part of PROJECTS (Joint Services ESA programmatic) consultation.
- Prepared informal consultation and no effect memo for Yellow-billed cuckoo and Streaked horn lark to supplement the ESA PROJECTS Action Notification Form.

## **OCTOBER 2018**

- HDR's Internal QA/QC of the preliminary design phase commenced September 28 and will be completed October 8.
- A project DRT meeting is scheduled for October 24. This meeting will mark finalization of the preliminary design phase. Review and feedback provided prior to and during the meeting will be addressed and incorporated into final design.
- DRT fisheries and geomorphology review of the Draft Project Effectiveness Monitoring & Adaptive Management Plan is due on October 5. The feedback provided will be incorporated to refine the Draft, prior to distribution to the USFWS River Restoration Team, fishery co-managers, and PAC in October.
- A PAC meeting will be scheduled in October to be held in early November. This PAC meeting will provide an overview of updated design plans, permit status, and will provide an opportunity for further discussion and approval of the Draft Project Effectiveness Monitoring and Adaptive Management Plan.
- Updated design plans will be uploaded to PRISM in October for PSAR reviewers.
- The PSAR Large Cap program's project list will receive final approval by the Leadership Council in October.