

**Boardman River Dams Committee
Meeting Minutes
February 28, 2006; 6:00 – 8:30PM**

Attendees:

Mark Lewis, Peter Zirnhelt, Sid Lammers, Kevin Keizer, Dennis Benoit, Dana Schindler, Beverly Cuthbert, Ed Flees, Sarah Johnston, Jim Pawloski, Dustin Ramoie, Tom Barker, Tim Dunlop, Tom Wertz, Jim Cooper, Wayne Swallow, Peter Neithercut, James Reed, Bill Prall, Steve Largent, Jim McIntyre, Joseph Miou, Peggy Fry, Mark Johnson, Mac McClelland, Robin Beardsley, Ron Alpers, Chris Sullivan, Tom Rozich, Gabe Schneider, Bill Arnold, John Hagen, Jeff Edwards, Jim VanEenaam, Anne Stevenson, Daniel Stewart, Dennis Aloia, Tim Ervin, Russ Knopp, Leslie Knopp, Todd Kalish, Jennifer Jay

Boardman River Dams Committee Statement of Purpose:

“To engage all interests in assessing and recommending the fate of the dams on the main stem of the Boardman River based upon a thorough analysis of options, including long and short-term economic, social, environmental, aesthetic, transportation and ecological impacts upon the community, individuals and riparian owners.”

Please refer to the attached agenda and supporting documents which were followed and reviewed at this meeting.

- Request to add consensus rules discussion to agenda
- Request to add to agenda the opportunity for discussion by parties present who may be interested in purchasing the dams.

Discussion:

Who makes decision of Issue/Need Identified to send to facilitation team or to BRDC agenda?

Action: All substantive issues brought to facilitation team are brought to the BRDC via inclusion on the agenda. There is now a formal process for agenda item submissions, etc. If the facilitation team is unsure, they will err by bringing the issue to the BRDC. Email any questions regarding process or criteria to facilitation team.

Action: Add Implementation Team membership to website.

Discussion:

When does TCL&P abandon operation? Will TCL&P remain a member of the IT when and if this is finalized?

Action: TCL&P is currently going through the process to surrender their license; (sent to FERC) if they are granted a surrender they will immediately lose right to generate power. FERC is in process of reviewing and finalizing surrender documents; these could be published at any time. Per the settlement agreement, TCL&P will remain as a member of the Implementation Team.

Discussion:

Who interprets consensus of this group (BRDC)? What about dissenting opinions?

Action: The broader BRDC is using a “consent” model. The Facilitators determine consent of the group. Dissenting opinions will be documented and forwarded to decision makers; however, a minority dissenting opinion does not stop the process. Documentation of meetings where decisions have been made will be posted on the website.

Discussion:

Where is the involvement of the Army Corps of Engineers?

Action: The Army Corps of Engineers are members of BRDC but are not part of the Implementation Team.

Discussion:

Will amended minutes be posted?

Action: All minutes will be posted on the website and emailed to members of the BRDC.

Discussion:

Clarification is needed from the City and County regarding their position on selling the dams. Would they accept a proposal to purchase without waiting for the results of the E&F study? Are the City and County better off if the dams continue to operate during the E&F study? Is it easier to transfer a FERC license than to receive a new one? Should the BRDC submit a letter requesting such clarification and asking the City and County to follow through with this process? Could we simultaneously move forward with the process and further investigate the issue of license surrender?

Action: The E&F study will assist in determining whether any decision is feasible, practical and beneficial in the long term, including removing, retaining or selling the dams. Parties interested in operating the dams have presented themselves and are required to meet FERC requirements regarding flood control. The information gained from the E&F study allows a more thorough evaluation of any offers. Accepting a proposal to continue with operation would short-circuit this process and does not take into consideration other opinions, which would risk public trust.

Action: Agreed by the committee with no objections plan to follow through with E&F study to its end as planned, and further explore issue of license surrender. No letter to the City and County requesting clarification is necessary.

Discussion: *Parties interested in operating the dams are present to gather information. The license surrender does make their proposal less lucrative. These parties may file a request to stop the de-licensing process. The BRDC could also recommend that TCL&P file a request.*

Action: The Director of TCL&P will be invited to discuss with BRDC the issue of license surrender.

Action: URS, serving as neutral advisors will examine the issue of license surrender and offer an opinion to the BRDC.

Submitted:

March 12, 2006

Jennifer Jay, Project Assistant