

# Protected Areas Petition

61200  
~~61200~~

Applicant: Mr. Randal Fairbanks/Ebasco Services Date Submitted: Oct. 30, 1989  
 Address: 10900 NE 8th St., Suite 500  
 City: Bellevue State: WA Zip: 98004-4405  
 Telephone: 206-451-4600  
 Representing: Hydro West

## Type of Change Requested (check only one)

1. Change designation as protected or unprotected x
2. Change reason for protected designation \_\_\_\_\_
3. Technical correction (no change to protected codes) \_\_\_\_\_
4. Exception from protected areas for project with exceptional fish and wildlife benefits \_\_\_\_\_

## Reach Information

Reach number: 1711000909600.00 ID number: 25084  
 Reach name: Martin Creek  
 Lower boundary: mouth (RM 0.0)  
 Upper boundary: headwaters (RM 7.0)  
 Tributary to: Tye River  
 County & state: King County

|                      | Current Value | Proposed Change              |
|----------------------|---------------|------------------------------|
| Protected category:* | W             | U (Limited Reclassification) |
| Protected length:    | 7.0 mi        | --                           |
| Starting mile:       | RM 0.0        | --                           |
| Ending mile:         | RM 7.0        | --                           |

### \* Protected Area Codes

| Code | Meaning                              | Code | Meaning                               |
|------|--------------------------------------|------|---------------------------------------|
| A    | Anadromous fish only                 | B    | Resident fish and wildlife            |
| C    | Anadromous and resident and wildlife | D    | Anadromous and resident or wildlife   |
| F    | Resident fish only                   | W    | Wildlife only                         |
| U    | Unprotected                          | Z    | Already protected by federal or state |

## Pending Projects

Is there a proposed hydro project on the reach in question? (Y/N) Yes  
 If so, what is the name and FERC number of the project? 10212-00

## Consultations (check one)

- Consultations completed and summary attached; or  
 Consultations not completed—agency review of this petition is requested.

Please attach (1) a statement of the facts supporting the proposed change; and (2) a summary of the consultations (if any) which you have had with fish and wildlife agencies, Indian tribes and others regarding this petition.

10900 NE 8th Street, Bellevue, WA 98004-4405, (206) 451-4600, Fax (206) 451-4691

March 20, 1990  
EBEL-PAHC-90-024 90 03 0210

PAC 0069

Dr. Peter Paquet  
Northwest Power Planning Council  
851 S.W. Sixth Avenue, Suite 1100  
Portland, Oregon 97204-1348

PP BL  
RA BF  
JV

SUBJECT: Pacific Hydro Projects - Correction to Proposed  
"Protected Areas Project-Related Changes"

Dear Dr. Paquet:

In the Northwest Power Planning Council's "Protected Areas Project-Related Changes" list released February 13, 1990, a petition for reclassification of Martin Creek (Washington State) from "protected for wildlife" to "unprotected", allowing a pending project to go forward is described. The project identified is FERC No. 10142. As indicated in my Letter of January 21, 1990 (copy attached) the project that should be referred to here is FERC No. 10212. FERC No. 10142 is actually on Marten Creek, a tributary to the South Fork of the Stillaguamish River. The following revisions should be made to the proposed changes:

10212 25084  
Martin Cr. FERC No. ~~10142~~, Reach No. 1711000909600.00, I.D. ~~25178~~. Tye R., King County. Petition seeks changes from "protected for wildlife" (excellent/ extensive deer winter range) to "unprotected" for the project area only based on studies showing that snow depths in project area preclude use as winter range. Ebasco Petition. Department supports proposed change for project only.

As stated in the January 21 letter, it is clear that the Department of Wildlife review is directed at the correct Martin Creek and FERC Project (the spelling of the creek name, the reach number, the protection category, and the protected length all match up). Therefore, we request that the above revisions be made to correctly identify the proposed change. For your convenience, a copy of our original protected areas petition and its transmittal letter (dated October 30, 1989) are attached. In addition, we have attached a copy of our consultation letter with WDW regarding this protected areas petition.

We appreciate your consideration of this request. If you should have any questions, please call me or Don Beyer at 206-451-4600.

Sincerely,

EBASCO ENVIRONMENTAL



Randal L. Fairbanks  
Project Manager

RLF/DLB06:hjd

c w/att: James G. Fenton, Washington Department of Wildlife

RECEIVED  
MAR 26 1990

January 21, 1990  
EBEL-PAHC-90-011

Dr. Peter Paquet  
Northwest Power Planning Council  
851 S.W. Sixth Avenue, Suite 1100  
Portland, Oregon 97204-1348

SUBJECT: Pacific Hydro Projects  
Protected Areas Designations - Amendment for Martin Creek

Dear Dr. Paquet:

Martin Creek, a tributary to the Tye River, is located in King County, Washington. The Northwest Power Planning Council ID number for this creek is 25084 and the stream reach number is 17110009-096-00.00. Recently we submitted a petition on behalf of Pacific Hydro Inc. for amendment to the Martin Creek protected areas designation. This petition requested a limited reclassification to "Unprotected" specifically for a proposed small scale hydro project on this stream. In our letter we inadvertently identified the small hydro project as FERC No. 10142. The correct FERC number, 10212, was identified on the petition form. FERC No. 10142 applies to a project on Marten Creek which is a tributary to the South Fork Stillaguamish River in Snohomish County.

The Department of Wildlife recommended that protection be retained for Martin Creek "while allowing FERC project No. 10142 to proceed (i.e., a temporary change to "Unprotected" for this project only)." This recommendation was made in the Department of Wildlife's letter dated January 12, 1990 (from James G. Fenton, Washington Department of Wildlife to Peter Paquet, Northwest Power Planning Council) which was in response to our petition.

It is clear that the Department of Wildlife letter is in reference to the correct Martin Creek and FERC Project No. 10212 (the spelling of the creek name, the reach number, the protection category, and the protected length all match up). Therefore, we request that the correct number (10212) be applied to the Martin Creek limited reclassification.

We are sorry for the inconvenience. If you should have any questions, please call me or Don Beyer at 206-451-4600.

Sincerely,

EBASCO ENVIRONMENTAL



Randal L. Fairbanks  
Project Manager

RLF:hjd

c: James G. Fenton, Washington Department of Wildlife  
Lea Knutson, Washington Department of Wildlife

RECEIVED  
MAR 26 1990

October 30, 1989

EBEL-PAHC-89-062

Dr. Peter Paquet  
Northwest Power Planning Council  
851 SW 6th Avenue, Suite 1100  
Portland, Oregon 97204

SUBJECT: PACIFIC HYDRO PROJECTS  
MARTIN CREEK PROTECTED AREA STATUS

Dear Dr. Paquet:

*correct FERC number inserted* → Our client, Pacific Hydro, is studying the feasibility of constructing a hydro-electric project on Martin Creek (FERC No. <sup>10212</sup>~~10142~~), a tributary to the Tye River, in King County. The project would involve the construction of small impoundments (< 0.5 ac.) on Martin and Kelley Creeks (a tributary to Martin Creek), a buried penstock from the diversions to a powerhouse, a buried transmission line along roads, and short access roads to the diversion and powerhouse areas (affecting about 0.5 ac.).

The Northwest Power Planning Council (NPPC) has listed Martin Creek as protected from hydroelectric development based on its wildlife habitat value, specifically the "excellent/extensive deer winter range" present in the drainage. The protection category is listed as "W". The entire creek is listed as protected, from its mouth to its headwaters, a length of seven miles.

Several factors lead us to question this designation. First, Martin Creek ranges in elevation from 1600 feet at its mouth to over 4000 feet at its headwaters along the Cascade crest near Stevens Pass. Important winter range is defined as generally occurring below 2200 feet in the Mt. Baker-Snoqualmie National Forest.<sup>1/</sup> Less than one mile of Martin Creek lies below this elevation. Second, the Mt. Baker-Snoqualmie National Forest deer winter range map<sup>1/</sup> shows the only winter range in the area as a narrow corridor along the Tye River (see Figure 2). This corridor includes less than one-quarter mile of lower Martin Creek and does not extend up the creek valley, but simply crosses Martin Creek at right angles following the Tye River. Finally, during a winter wildlife survey of the lower project area conducted on 15 February 1989, we observed snow depths of about 18 inches; this depth is generally considered to preclude range use by mule deer (Gilbert et al 1970; Strickland 1975).<sup>2/</sup>

- 1/ USDA Forest Service, Pacific Northwest Region. 1987. Draft environmental impact statement, proposed land and resource management plan. USDA Forest Service, Pacific Northwest Region, Portland, Oregon.
- 2/ Gilbert, P.F., O.C. Wallmo, and R.B. Gill. 1970. Effect of snow depth on mule deer in Middle Park, Colorado. J. Wildl. Manage. 34:15-23.

Strickland, D. 1975. Mule deer in the Medicine Bow mountains, southeast Wyoming. Wildlife Technical Report No. 2. Wyoming Game and Fish Dept., Cheyenne, 103pp.

Tracks suggested that several deer had been in the area within the past few weeks, but no fresh tracks were observed and no areas of concentrated use were identified. The elevation of Martin Creek plus its location relative to the Cascade crest (<1 to <6 miles west) suggests that deep snows are common even in its lower reaches. Based on these factors, we are urging the Northwest Power Planning Council to reconsider its protected area designation.

We believe that Pacific Hydro's Martin Creek hydroelectric project can be built in a way that is compatible with deer and other wildlife use of the area. There are several reasons we feel that the project will have minimal effect on wildlife and in fact can, with proper management, improve deer habitat quality.

- 1) The project will only affect approximately 6.6 acres of habitat, all within a narrow corridor, with only about 0.75 acres being permanently lost (Table 1). The remaining 5.8 acres will be revegetated and managed for wildlife habitat. The area that will be modified includes: 3.1 acres of old growth forest, 1.2 acres of recent clearcuts, 0.7 acres of sapling/pole size regenerating clearcut, and 0.7 acres of mature conifer forest.
- 2) Only the 40 ft. x 40 ft. powerhouse, 1340 ft. of buried penstock (30-50 ft. wide corridor), and 550 ft. of new road (20 ft. wide) will be constructed below the 2200 ft. elevation (Fig. 1), which the U.S. Forest Service considers to be the upper limit of "Important deer winter range" (Fig. 2). Thus, the area affected by these project features will amount to: 0.5 ac. of old growth forest, 0.7 ac. mature forest, and 0.7 ac. regenerating clearcut.
- 3) The managed revegetated penstock corridors will provide deer with very good browse in close proximity to heavily forested areas, thus increasing the suitability of the winter range. The Washington Department of Wildlife has reported that a 60:40 ratio of forage:cover provides optimal winter cover for deer. The lower portion of the Martin Creek drainage is dominated by mature and old growth conifer (Fig. 1), with the regenerating clearcuts currently becoming too old to provide optimal forage. By creating the narrow, permanent shrub-dominated areas, the forage:cover ratio can be improved to benefit deer.
- 4) The project will not increase hunting pressure or poaching threats to the deer. If the project is operating in the winter (this is dependent upon the instream flow), very limited visits by project personnel will be required. If roads are plowed during the winter, they will be gated and locked to prevent public access.

We are currently consulting with the Washington Department of wildlife. We will forward to the Council any additional information or correspondence as it becomes available.

October 24, 1989  
EBEL-PAHC-89-061

Ms. Lea Knutson  
Washington Department of Wildlife  
600 N. Capitol Way  
Olympia, WA 98501

SUBJECT: PACIFIC HYDRO PROJECTS  
MARTIN CREEK PROTECTED AREA STATUS

Dear Ms. Knutson:

Our client, Pacific Hydro, is studying the feasibility of constructing a hydroelectric project on Martin Creek, a tributary to the Tye River, in King County. The project would involve the construction of small impoundments (< 0.5 ac.) on Martin and Kelley Creeks (a tributary to Martin Creek), a buried penstock from the diversions to a powerhouse, a buried transmission line along roads, and short access roads to the diversion and powerhouse areas (affecting about 0.5 ac).

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Strickland, D. 1975. Mule deer in the Medicine Bow mountains, southeast Wyoming. Wildlife Technical Report No. 2. Wyoming Game and Fish Dept., Cheyenne. 103pp.

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Based on these reasons, we are requesting that if the Council chooses not to remove the protected areas designation of Martin Creek, it grant a limited reclassification for the Martin Creek hydroelectric project.

We look forward to coordinating our efforts with WDW to complete the project in an environmentally sound manner. If you would please advise us of your concerns and comments as soon as possible it would be greatly appreciated as we need to submit the request to the Northwest Power Planning Council by November 1, 1989. If you have any questions please feel free to call me or Ron Tressler at 206-451-4600.

Sincerely,

EBASCO ENVIRONMENTAL



Randal L. Fairbanks  
Environmental Program Manager

RLF:hjd

c: Rocky Spencer, WDW

bc: D. Beyer  
R. Tressler

Table 1. Summary of vegetation modification and loss expected as a result of the proposed Martin Creek hydroelectric project.

| Cover Type | Vegetation Losses            |                       |          |                         |       | Vegetation Modification |               |                 |       | Total Area Affected |
|------------|------------------------------|-----------------------|----------|-------------------------|-------|-------------------------|---------------|-----------------|-------|---------------------|
|            | Diversion Pool & impoundment | Powerhouse & tailrace | Penstock | Roads and parking areas | Total | Penstock                | Staging Areas | Roads & T-lines | Total |                     |
| OG         | 0.33                         | 0.04                  |          | 0.31                    | 0.68  | 2.94                    | 0.12          | 0.09            | 3.15  | 3.83                |
| S          |                              |                       |          |                         | 0     | 1.22                    |               |                 | 1.22  | 1.22                |
| MC         |                              |                       |          | 0.07                    | 0.07  | 0.68                    |               | 0.04            | 0.72  | 0.79                |
| RC         |                              |                       |          |                         | 0     | 0.72                    |               |                 | 0.72  | 0.72                |
| Total      | 0.33                         | 0.04                  | 0        | 0.38                    | 0.75  | 5.56                    | 0.12          | 0.13            | 5.81  | 6.56                |

OG = old growth  
 C = closed canopy conifer  
 S = successional shrub  
 RC = regenerative conifer  
 M = mixed forest  
 H = riparian deciduous forest  
 MC = mature conifer  
 S = riparian shrub  
 B = shrub  
 H = deciduous forest  
 RT = rock/talus



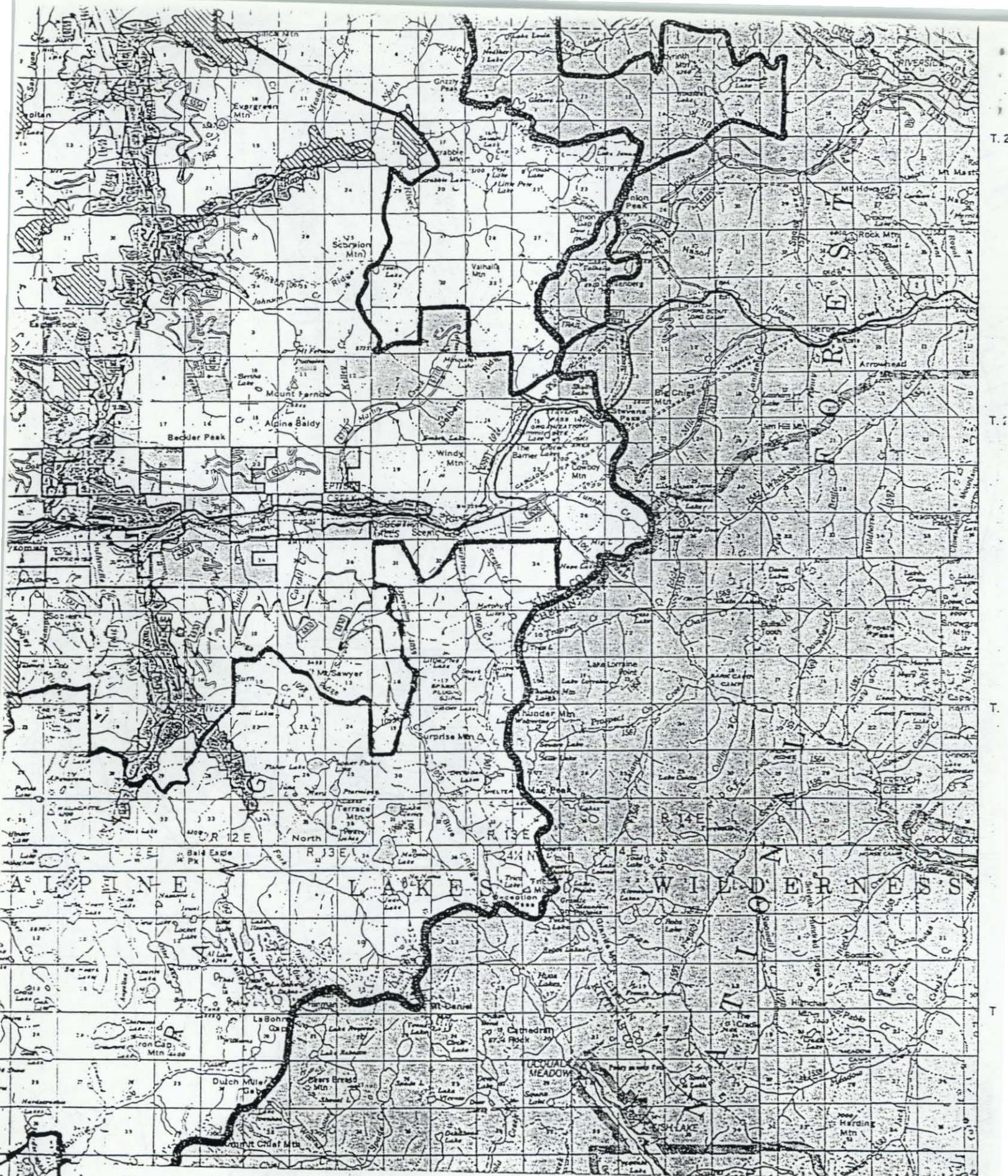


Figure 2. Deer winter range delineated in the Mt. Baker-Snoqualmie National Forest 1987 draft plan.