



**ENERGY  
NORTHWEST**

Dan L. Ross  
O&M/Professional Services  
P.O. Box 968, MD 1030  
Richland, WA 99352-0968  
Ph. 509.377.8581 | F. 509.372.5078  
dross@energy-northwest.com

Filed Electronically  
April 4, 2012  
PKWD-12-032

Ms. Kimberly D. Bose  
Office of the Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, DC 20426

Dear Ms. Bose:

Subject: **PACKWOOD LAKE HYDROELECTRIC PROJECT  
FERC DOCKET NO. P-2244  
FINAL RESOURCE COORDINATION PLAN**

Energy Northwest, Licensee of the Packwood Lake Hydroelectric Project, herewith files our Resource Coordination Plan, as it relates to the relicensing of the Project.

The Licensee has consulted with the USDA Forest Service and other interested parties to prepare this Resource Coordination Plan. The USDA Forest Service has approved the Plan. This Plan will become effective upon the issuance of the new operating license.

If you have any questions or require additional information regarding this Plan, please contact me at 509.377.8581.

Respectfully,

Dan Ross  
Packwood Project Manager

cc: Packwood Advisory Committee

# **Resource Coordination Plan**

for

**Energy Northwest's  
Packwood Lake Hydroelectric Project  
FERC No. 2244  
Lewis County, Washington**

Submitted by:



**P.O. Box 968  
Richland, Washington 99352-0968**

**April 2012**

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## A. Introduction

Energy Northwest (EN or Licensee) is authorized to operate the Packwood Lake Hydroelectric Project (Project) P-2244 by the Federal Energy Regulatory Commission (FERC or Commission). The majority of the project facilities are located on National Forest System (NFS) lands administered by the U.S. Department of Agriculture (USDA) Forest Service (FS). Pursuant to section 4(e) of the Federal Power Act, the USDA Forest Service has exercised its authority to specify 19 additional conditions on the FERC project operating license that it considers necessary for adequate protection and utilization of the land and related resources of the Gifford Pinchot National Forest. Condition No. 2 requires the development of a Resource Coordination Plan (RCP) for the purpose of establishing a single process for use by Energy Northwest to coordinate the conduct of each of its license compliance activities with timely oversight by the USDA Forest Service and other interested parties.

### A.1 Preparation and Approval of Initial Plan

Within one year of License issuance, Energy Northwest shall prepare a Resource Coordination Plan in coordination and consultation with the USDA Forest Service and other interested parties such as the U.S. Fish and Wildlife Service (FWS), NOAA National Marine Fisheries Service (NMFS), the Washington Department of Fish and Wildlife (WDFW), Washington Department of Ecology (WDOE), and Tribes (interested parties). The plan will be approved by the USDA Forest Service and filed with the Commission.

### A.2 Purpose and Scope

This plan establishes a process for Energy Northwest to exchange information and coordinate its efforts to implement the License conditions and ongoing operations and maintenance activities. This plan describes how and when Energy Northwest will communicate with the USDA Forest Service and the other parties by specifying an annual cycle of data submittals, review meetings, field work, future planning and report preparation.

It is intended that the RCP would include: (1) an annual resource coordination meeting; (2) a rolling 3-year annual report and work plan that includes a final annual report of all management activities and results in the preceding calendar year, a draft and final current year work plan for activities planned for the following year, and a consultation summary; (3) documentation of the requirements, tasks, methods, and reports related to monitoring the effects of project operations and facilities on natural and/or social resources and effectiveness of protection, mitigation, and enhancement measures; (4) a revision of implementation strategies and

methods to reflect improvement in sampling procedures and/or changes in regulations or environmental conditions; (5) adaptive management measures when resources objectives are not met; (6) documenting and reporting any deviations from the approved plans or terms and conditions; (7) updates of the resource coordination plan; (8) the development of standard operating protocols and processes to resolve disagreements regarding the implementation process; and (9) a designated environmental coordinator to communicate implementation activities with Energy Northwest and the Forest Service.

The RCP shall specifically apply to the coordination of the 19 various activities specified by the USDA Forest Service as enumerated below and referenced in Section G. For convenience, activities required or recommended by other agencies (FERC, NMFS, WDFW, and WDOE) will also be managed using this RCP process. An initial list of activities is shown below (to be modified as necessary). The USDA FS condition number or agency name is shown in parentheses.

- Implementation of Activities on NFS lands (1)
- Resource Coordination Plan (2 - this plan)
- Fire Prevention Plan (3)
- Packwood Lake Elevation and Annual Project Maintenance (4)
- Lower Lake Creek Instream Flows (5)
- Aquatic Habitat Forming Flows (6)
- Lower Lake Creek Stream Restoration and Monitoring (7)
- Rainbow Trout Surveys and Supplementation (8)
- Entrainment in Project Intake (9)
- Fish Passage at Snyder Creek (10)
- Amphibian Monitoring at Site B (11)
- Threatened, Endangered and Sensitive Species (12)
- Packwood Tributary Headcutting Monitoring (13)
- Recreation Management (14)
- Pipeline, Surge Tank and Penstock Monitoring (15)
- Exotic and Invasive Vegetative Management (16)
- Raptor Protection – Primary Distribution Line (17)
- Cultural Resources (18)
- Reservation of Authority (19)
- Section 401 Water Quality Certification (WDOE)
- Tailrace Water Temperature Plan (WDOE)
- Lake Creek Ramping Rate Plan (WDFW)
- Tailrace Slough Chinook Protection (NMFS)
- Operating License Requirements (FERC)

The RCP establishes the Packwood Advisory Committee (PAC) to provide overall responsibility for the exchange of information, technical review of data, and coordination of efforts by Energy Northwest to implement the License conditions and ongoing operations and maintenance activities (Section C). The PAC has authority to revise implementation strategies and methods to reflect improvement in sampling procedures and/or changes in regulations or environmental conditions, and serves as the Dispute Resolution Committee (Section D).

## B. Implementation of Requirements

The coordination of the License compliance activities with the USDA Forest Service and other interested parties will be accomplished by Energy Northwest using the following strategies:

- B.1 Energy Northwest will provide for coordination and consultation with the USDA Forest Service and other interested parties in the form of an Annual Resource Coordination meeting to be held each year at least 60 days preceding the anniversary of the License. As a practical matter, the annual meeting will be scheduled for April so that revisions of implementation strategies, program improvements or adaptive management changes can be made prior to starting the current year's work (see section E Schedule). Meeting location options, in order of preference, will be Packwood, the Cowlitz Valley Ranger District office in Randle, or Olympia.
- B.2 Energy Northwest will provide each year to the USDA Forest Service and interested parties a rolling 3-year Annual Report and Work Plan (annual report) that covers work completed and monitoring data acquired during the previous year, compliance with the License terms and conditions, the work plan and schedule for the current year, a draft work plan for the following year, a discussion of deviations and program changes, and a consultation summary. Energy Northwest will organize the annual report by activity and include the requirement, scope of work, and data results in each section to simplify review. A draft of the annual report shall be provided to all parties 30 days prior to the annual meeting. A revised draft annual report shall be provided as soon as practicable after the annual meeting for a second 30-day review. The final annual report will be submitted to the Commission, USDA Forest Service and interested parties within 60 days following the annual meeting (June).
- B.3 The annual report will document the requirements, tasks, methods, and reports related to monitoring the effects of Project operations and facilities on natural and/or social resources and effectiveness of protection, mitigation, and enhancement (PME) measures where the monitoring is required by the USDA Forest Service terms and conditions.

- B.4 The Packwood Advisory Committee (PAC; see section C) is authorized to revise implementation strategies and methods to reflect improvement in sampling procedures and/or changes in regulations or environmental conditions. The adaptive management of these programs will occur by consensus of the PAC with final approval by the agency sponsoring the activity being changed if the activity is not sited on National Forest System lands. If the proposed activity is sited on NFS lands the USDA Forest Service shall have final approval of the activity pursuant its existing management direction.
- B.5 Adaptive management will be used by the PAC to modify Project PME measures when resource objectives are not achieved as identified through collaborative coordination, plan development and implementation, and effectiveness monitoring. Adaptive management shall mean the adoption of the following strategic actions: measures shall be implemented, effectiveness monitoring shall take place, and alternative fallback options shall be employed if proposed control measures fail to protect and enhance fish and wildlife resources as anticipated. Program changes made by adaptive management decisions will be documented in the annual report.
- B.6 Energy Northwest will utilize its corporate procedures for formal record keeping and will maintain internet accessible documents at its public website. Proprietary cultural information will be limited in its distribution and will not be available for public view on the internet.
- B.7 Energy Northwest will document and report any deviations from the approved plans or terms and conditions. Deviations will be reported to the USDA Forest Service within 14 days of the change date and will include specific details and reasons for the change. Deviations will be documented in the annual report.
- B.8 EN will update the RCP (this plan) as necessary at the direction of the PAC and approval of the USDA Forest Service. After initial adjustment, it is assumed that the RCP will not require frequent updating as it is intended to describe a way of doing business without containing specific work elements. Site specific plans developed for habitat or ground-disturbing activities (FS Condition No. 1) and their associated monitoring measures or other adaptive management changes made by the PAC will be documented in the annual report.
- B.9 Energy Northwest will utilize its existing project procedures and approved management plans to implement the required compliance activities. The project procedures identify standard operating protocols, including cultural

resource identification and reporting methods that Energy Northwest and its contractors will follow while conducting activities on NFS lands.

- Operations Manual Procedures
  - Black Start Procedure
  - Clearance Order Procedure
  - CO2 System Heat Detectors Testing Procedure
  - Document Control Procedure
  - Noxious Weed Control Plan
  - Operations Procedure
  - Tailrace Fish Barrier Facility Maintenance Procedure
  - Water Supply Procedure
  - Work Control Procedure
  
- Emergency Plan Manual Procedures
  - Air Quality Procedure
  - Emergency Plan
  - Fire Plan
  - Industrial Safety Plan
  - Lead Containing Material Handling Policy
  - Personal Injury Response Plan
  - Public Safety Plan
  - Regulated Waste Management Plan
  - Spill Prevention, Control, and Countermeasure Plan
  - Stormwater Pollution Prevention Plan
  
- Management Plans
  - Resource Coordination Plan
  - Packwood Lake Recreation Plan
  - Tailrace Water Temperature Monitoring and Enhancement Plan
  - Rare Plant Management Plan
  - Avian Protection Plan
  - Integrated Weed Management Plan
  - Lake Creek Ramping Rate Plan
  - Historic Properties Management Plan
  - Intake Fish Entrainment Monitoring Plan
  - Fire Protection Plan (future)
  - Threatened, Endangered and Sensitive Species Plan (future)
  - Pipeline, Surge Tank and Penstock Monitoring Plan (future)
  - Lake Creek Stream Restoration Plan (future)

B.10 Energy Northwest will utilize the dispute resolution process described in section D of this plan to resolve disagreements regarding the implementation of the RCP.

- B.11 Energy Northwest will designate a single individual to serve as a point of contact and to coordinate the implementation of the RCP and Licensee activities with the USDA Forest Service.

C. Packwood Advisory Committee

The Packwood Advisory Committee (PAC) is comprised of members from Energy Northwest and the USDA Forest Service and other interested parties (see section A.1). The PAC has overall responsibility for the exchange of information, technical review of data, and coordination of efforts by Energy Northwest to implement the License conditions and ongoing operations and maintenance activities. The PAC is authorized to revise implementation strategies and methods to reflect improvement in sampling procedures and/or changes in regulations or environmental conditions. Adaptive management changes of these programs will occur by consensus of the PAC with final approval by the agency responsible for the activity being changed if the activity is not sited on National Forest System lands. If the proposed activity is sited on NFS lands the USDA Forest Service shall have final approval of the activity pursuant its existing management direction. The PAC is also authorized to resolve minor disputes as described in Section D.

C.1 Roles and Responsibilities

- C.1.1 Energy Northwest is the Licensee for the Project. Energy Northwest will be responsible for the following:

- C.1.1.1 Funding of the activities directed by the RCP.
- C.1.1.2 Appointing Energy Northwest's members to the PAC.
- C.1.1.3 Coordinating all aspects of the RCP. Identifying the responsible party if not the Licensee for implementation of the License requirements.
- C.1.1.4 Consulting with the PAC as directed in the License Order and the RCP.
- C.1.1.5 Preparing the annual report in consultation with the PAC, submitting to FERC, and distributing to the PAC.
- C.1.1.6 Updating the RCP as necessary in consultation with the PAC, submitting the update to FERC, and distributing it to the PAC.
- C.1.1.7 Coordinating the annual Resource Coordination meeting, including:
  - a. coordinating facility and support services
  - b. notifying the PAC at least 30 days in advance of the meeting
  - c. preparing and distributing an agenda
  - d. providing the draft Annual Report

- e. attending and facilitating the annual Resource Coordination meeting
  - f. editing the draft annual report in preparation for final review and distribution
- C.1.1.8 Coordinating additional PAC meetings as needed.
- C.1.1.9 Participating with the PAC in the adaptive management process.
- C.1.1.10 Participating in preparation of annual Work Plan for the current and out-years, including monitoring proposals.
- C.1.2 USDA Forest Service and interested parties comprise the membership of the Packwood Advisory Committee. With the exception of the USDA Forest Service, PAC membership is an optional decision for each organization and may include: United States Department of Commerce's National Oceanic and Atmospheric Administration (NOAA) / National Marine Fisheries Service (NMFS), United States Department of Interior's Fish & Wildlife Service (FWS), Washington State Department of Archaeology and Historic Preservation (DAHP), Washington State Department of Ecology (WDOE), and Washington State Department of Fish & Wildlife (WDFW); Cowlitz Indian Tribe (CIT) and Yakama Nation (YN).

Those agencies or organizations that choose to be a part of the PAC will each be responsible for the following:

- C.1.2.1 Appointing a single member to represent the agency on the PAC. The appointed individual is expected to utilize other technical expertise from their agency as needed.
- C.1.2.2 Consulting with the PAC as directed in the License Order and the RCP.
- C.1.2.3 Reviewing the annual report in consultation with the PAC. Providing comments to clarify material in the annual report.
- C.1.2.4 Reviewing the RCP as necessary in consultation with the PAC.
- C.1.2.5 Attending the annual Resource Coordination meeting. Discuss and approve any revisions to the Work Plan as suggested by the Licensee based on monitoring results.
- C.1.2.6 Providing available technical data and expertise as needed to assist in achieving RCP resource management objectives.
- C.1.2.7 Coordinating implementation of activities and protection, mitigation, and enhancement (PME) measures on or near federal and/or state lands covered by the RCP.

- C.1.2.8 Informing the PAC of any changes in agency policies, directives, or personnel support that could have implications for the RCP.
- C.1.2.9 Ensuring the RCP is in compliance with all applicable federal and state regulations.
- C.1.2.10 Attending additional PAC meetings as needed.
- C.1.2.11 Participating with the PAC in the adaptive management process including obtaining home agency approval of recommended changes.
- C.1.2.12 Participating in preparation of annual Work Plan for the current and out-years, including monitoring proposals.

## D. Dispute Resolution

### D.1 General Applicability

- D.1.1 The Parties agree to use the following alternative dispute resolution process to resolve disputes related to the new license conditions, unless otherwise precluded by statute or agency regulation.
- D.1.2 Within five days of a Party initiating dispute resolution under this Section D, if the dispute resolution proceedings are relevant to a FERC proceeding, the Party shall provide Notice to FERC that dispute resolution has been initiated. Such Notice will identify the portions of the FERC filing that are related to the dispute but need not discuss the nature of the dispute or the Parties' positions.
- D.1.3 The Parties agree to devote such time and attention to dispute resolution as necessary and reasonable to attempt to resolve the dispute at the earliest time possible; and each Party will cooperate in good faith promptly to schedule, attend, and participate in dispute resolution. Each Party will promptly implement all final agreements reached, consistent with its applicable statutory and regulatory responsibilities.
- D.1.4 Dispute resolution provisions of the RCP shall not apply to Department of Ecology insofar as Ecology is exercising its statutory authority to enforce the requirements of a CWA 401 Certification, applicable water quality requirements, or other appropriate requirements of state law. However, Ecology, in its sole discretion, may choose upon specific request to participate in a dispute resolution process in such circumstances.

### D.2 Dispute Resolution Procedures

D.2.1 **Dispute Initiation Notice.** A Party claiming a dispute shall provide timely Notice to the other Parties, describing the matter(s) in dispute and any proposed relief or resolution. Each Party that wishes to participate in dispute resolution shall provide written Notice to the other Parties within 20 days of receiving the dispute initiation Notice.

D.2.2 **General Dispute Resolution Procedures**

- D.2.2.1 The Parties agree that the Packwood Advisory Committee (PAC) members shall constitute the Dispute Resolution Committee in the event that the dispute resolution procedures in Section D of the RCP are necessary. The members of the PAC Dispute Resolution Committee may also include management level representatives of their respective organizations.
- D.2.2.2 Any dispute arising will first be addressed among the disputing Parties. The disputing Parties shall hold at least two informal meetings to resolve the dispute, unless agreed otherwise, commencing within 30 days after the dispute initiation Notice and concluding within 60 days of the first meeting. The 60-day period may be extended upon mutual agreement of the disputing Parties. If the disputing Parties are unable to resolve the dispute by mutual agreement, at least one meeting will be held by the PAC Dispute Resolution Committee to seek resolution. If the PAC Dispute Resolution Committee fails to resolve the dispute by consensus (as defined in Section D.2.3) within 60 days of Notice to the PAC Dispute Resolution Committee, the PAC Dispute Resolution Committee may, by unanimous consent, agree to mediation and proceed as described in Section D.2.6. The Party giving Notice of the dispute shall be responsible for coordinating all meetings under this Section and shall make good faith efforts to coordinate a meeting time and location satisfactory to all disputing Parties.

D.2.3 **Consensus Defined.** Consensus is achieved when all members cast a supportive or neutral vote or have abstained from the decision. When any vote is taken, the Licensee shall provide the results to and seek the vote of non-present members within three days. Members not present must inform the Licensee and other PAC members of their vote within 10 days after the meeting or they shall be deemed to have abstained from the decision.

- D.2.4 Costs for Dispute Resolution. Unless otherwise agreed among the Parties, each Party will bear its costs for its own participation in a dispute resolution process.
- D.2.5 Continued Operation of the Project and FERC Filings During Dispute Resolution. Pending resolution of any dispute under this Section D, and subject to the authority of FERC or another agency with jurisdiction to order otherwise and the Parties' reservation of remedies, the Licensee may continue operating the Project in the manner of its operation immediately before the time when the dispute arose. Pending resolution of any dispute, the Licensee may make a FERC filing relating to a disputed issue in order to comply with FERC filing requirements. Any other Party may oppose or respond to the Licensee's filing.
- D.2.6 Mediation. If mediation is agreed to under Section D.2.2.2, the PAC Dispute Resolution Committee shall choose a mediator within 30 days of the conclusion of the meetings described in Section D.2.2.2. Mediation shall not occur if the PAC Dispute Resolution Committee cannot unanimously agree on the allocation of costs for the mediator or choice of mediator. The mediation process shall be concluded not later than 60 days after the mediator is selected. The above time periods may be shortened or lengthened by consensus (as defined in Section D.2.3) of the PAC Dispute Resolution Committee.
- D.2.7 Dispute Resolution Notice. The Party initially giving Notice of the dispute shall provide Notice to all Parties and FERC, if FERC was noticed under Section D.1.2, of the result of the dispute resolution process.
- D.2.8 FERC Filings after Dispute Resolution. If a dispute relating to an issue that was the subject of a FERC filing is successfully resolved, the Licensee shall inform FERC of the outcome of dispute resolution. If the Licensee is required to make a FERC filing relating to an issue that was not successfully resolved through dispute resolution, such filing will include the Licensee's reasons, based on Project-specific information, for not adopting a Party's recommendation or for seeking FERC approval without obtaining agency approval. Any other Party may oppose or respond to the Licensee's filing.
- D.2.9 Effect of Dispute Resolution on Other Proceedings. The dispute resolution process in this Section D does not preclude any Party from timely filing and pursuing an action for administrative or judicial relief of any FERC order, compliance matter, or other

regulatory action related to the New License; provided that any such Party shall initiate dispute resolution pursuant to this Section D as soon as practicable thereafter or concurrently therewith.

### D.3 Remedies

The Parties reserve all remedies for material breach of the Project License including seeking a License amendment or other appropriate relief from FERC.

### D.4 Disputes or objections related to cultural resources will be resolved by a separate process described in Section II of the Programmatic Agreement and repeated below (Final Programmatic Agreement, 01/25/2010).

D.4.1 If at any time during implementation of the Programmatic Agreement (PA) and the resulting Historic Properties Management Plan (HPMP), the licensee, the Washington Historic Preservation Officer (SHPO), National Forest, or the Advisory Council on Historic Preservation (Council) object to any action or any failure to act pursuant to the PA or the HPMP they may file written objections with the Federal Energy Regulatory Commission (Commission).

D.4.1.1 The Commission will consult with the objecting party, and with other parties as appropriate, to resolve the objection. The Commission may initiate on its own such consultation to remove any of the Commission's objections.

D.4.2 If the Commission determines that the objection cannot be resolved, the Commission will forward all documentation relevant to the dispute to the Council and will request that the Council comment. Within 30 days of receiving all pertinent documentation, the Council will either:

D.4.2.1 Provide the Commission with recommendations, which the Commission will take into account in reaching a final decision regarding the dispute; or

D.4.2.2 Notify the Commission that it will comment pursuant to 36 CFR Section 800.7(c)(1) through (c)(3) and Section 110(a)(1) of the National Historic Preservation Act, and proceed to comment.

D.4.3 The Commission will take into account any Council comment provided in response to such a request, with reference to the subject of the dispute, and will issue a decision on the matter. The Commission's responsibility to carry out all actions under this

Programmatic Agreement that are not the subject of dispute will remain unchanged.

E. Schedule

The annual cycle of Resource Coordination actions will occur within the following blocks of time each year of the new license (subject to modification by the PAC).

Month	Actions
January	EN Annual Report preparation
February	EN schedules annual meeting EN Annual Report preparation
March	EN distributes the Draft Annual Report PAC review of draft report for annual meeting
April	PAC Annual Resource Coordination meeting EN distributes Revised Draft Annual Report based on comments received at meeting PAC review of revised draft annual report
May	Field work begins weather permitting PAC members submit annual report comments to EN EN incorporates changes and finalizes the Annual Report.
June	EN files Annual Report with FERC and distributes copies to PAC (within 60 days of annual meeting). Field work.
July	Field work.
August	Field work. EN begins annual maintenance outage (August 15).
September	End annual maintenance outage (September 15)

	Field work.
October	EN Data analysis and report preparation.
November	EN Data analysis and report preparation.
December	EN Data analysis and report preparation.

F. Documentation and Record Keeping

- F.1 The Project will retain the original Annual Report, along with the record of consultation and supporting documentation in accordance with record storage requirements.
- F.2 The Annual Report will be filed electronically with FERC.
- F.3 The PAC members will receive copies, issued by the Project, of the Resource Coordination Plan materials for their use and retention.
- F.4 Copies of the RCP and the Annual Reports will be available on the Energy Northwest external website at:  
[http://www.energy-northwest.com/generation/packwood/relicensing/ferc\\_filings.php](http://www.energy-northwest.com/generation/packwood/relicensing/ferc_filings.php)

G. References and Resources

- G.1 Federal Energy Regulatory Commission. Final Signed Programmatic Agreement, Project No. 2244-012, Packwood Lake Hydroelectric Project, Energy Northwest. January 25, 2010.
- G.2 USDA Forest Service. USDA Forest Service Comments on the April 2008 Final License Application – Packwood Lake Hydroelectric Project – FERC Project No. 2244; Preliminary FPA 4(e) Terms and Conditions; Justification Statements for the Terms and Conditions; and the Schedule for Finalization of the 4(e) Terms and Conditions. August 14, 2008.
- G.3 USDA Forest Service. USDA Forest Service Comments on the April 2008 Final License Application – Packwood Lake Hydroelectric Project (P-2244-022) Schedule for Finalization of the 4(e) Terms and Conditions. April 24, 2009.

## H. Contacts

For further information about the Project, contact:

Dan Ross, Project Manager  
509.377.8581 (office)  
P.O. Box 968, MD 1030  
Richland, WA 99352-0968

[dlross@energy-northwest.com](mailto:dlross@energy-northwest.com)  
509.727.5290 (cell)  
3000 George Washington Way  
Richland, WA 99354

Audrey Desserault, Project Specialist  
509.377.8468 (office)  
P.O. Box 968, MD 1030  
Richland, WA 99352-0968

[ajdesserault@energy-northwest.com](mailto:ajdesserault@energy-northwest.com)  
509.727.2084 (cell)  
3000 George Washington Way  
Richland, WA 99354