

**Final Notes**  
**Bear River License Implementation**  
**Environmental Coordination Committee Meeting**  
**May 18, 2005**  
**Grace, Idaho**

---

<b>Commitments Made at the May 2005 ECC Meeting</b>	
All	<ul style="list-style-type: none"> <li>• Identify signatories to the Settlement Agreement for Cove within your agency and make them aware of the July signing ceremony.</li> <li>• Review drafts of the Environmental Report, Removal Plan, and Settlement for Cove, which are being mailed to ECC members as hard copies. Review period starts Friday, May 20, with comments due mid-June.</li> <li>• Provide any comments on Grace/Cove Site Plan to Eve Davies ASAP, no later than the week of May 23.</li> </ul>
Monte Garrett	<ul style="list-style-type: none"> <li>• Distribute drafts of the Environmental Report, Removal Plan and Settlement Agreement for Cove to ECC members by regular mail.</li> <li>• Contact Jodi Williams about attending the June 15 ECC meeting. Coordinate time with Lynn Van Every/Jack Barnett. Let Miriam know for agenda.</li> <li>• Contact Tribes and NPS for position on Twin Lakes. Send Twin Lake memo to FERC if no additional comments from ECC members are forthcoming by Monday, May 23.</li> <li>• Obtain more information on Paris Sinkhole (enough to rank the project).</li> </ul>
Proposal Funding Subcommittee members	<ul style="list-style-type: none"> <li>• Attend next subcommittee meeting, 9 a.m., June 6, IDEQ, Pocatello.</li> <li>• Revise funding proposals as needed. Forward electronic copies for packets to Miriam by Friday, June 3.</li> <li>• Prepare any needed FRIMA applications (Thomas Fork, Cottonwood Creek?).</li> </ul>
Lynn Van Every	<ul style="list-style-type: none"> <li>• Contact Jack Barnett, Bear River Commission, about attending the next ECC meeting (June 15, 2005). Coordinate time with Monte Garrett/Jodi Williams. Let Miriam know for agenda.</li> <li>• Prepare funding proposal for Ovid.</li> <li>• Obtain more information for the four corral funding proposals (enough to rank them)</li> </ul>
Miriam Hugentobler	<ul style="list-style-type: none"> <li>• Prepare and distribute notes from Funding Proposal subcommittee meeting.</li> <li>• Revise and distribute funding proposal long form and ranking criteria (for use during next review period).</li> <li>• Prepare and distribute notes from May ECC meeting</li> </ul>
Deb Mignogno	<ul style="list-style-type: none"> <li>• Write up ECC goals for the Youngman property.</li> <li>• Attend next land trust meeting with the owner of the Youngman property. Report back to Funding Proposal subcommittee.</li> <li>• Facilitate the June 15 ECC meeting.</li> </ul>
Eve Davies	<ul style="list-style-type: none"> <li>• Provide contact information for landowner at Cottonwood Creek diversion to Dave Teuscher.</li> </ul>

<b>Commitments Made at the May 2005 ECC Meeting</b>	
	<ul style="list-style-type: none"> <li>• Write up ECC goals for Gilbert property for the land trust.</li> </ul>
Warren Colyer	<ul style="list-style-type: none"> <li>• Check to see if TU has someone knowledgeable in water law to participate in the June Water Bank discussion.</li> </ul>
Eve Davies and Warren Colyer	<ul style="list-style-type: none"> <li>• Revise proposal for the Cottonwood Creek diversion for next Funding Proposal subcommittee meeting (June 6).</li> </ul>
Dave Teuscher	<ul style="list-style-type: none"> <li>• Contact Thermal Imaging Consultant (IRZ) about attending June 15 ECC meeting. Coordinate time on agenda with Miriam.</li> </ul>
Dave Teuscher/Warren Colyer	<ul style="list-style-type: none"> <li>• Coordinate on possible June electrofishing of some of the key tributaries to the Bear.</li> </ul>
Marv Hoyt/Scott Christensen	<ul style="list-style-type: none"> <li>• Email contact information on diversion engineering construction to Eve.</li> </ul>
Jim Capurso	<ul style="list-style-type: none"> <li>• Obtain more information on Skinner Creek.</li> </ul>

**ECC Members Present**

Jim Capurso, U.S. Forest Service  
Monte Garrett, PacifiCorp  
Lynn Van Every, Idaho Department of Environmental Quality  
Marv Hoyt, Greater Yellowstone Coalition  
Pat Koelsch, Bureau of Land Management  
Warren Colyer, Trout Unlimited  
Deb Mignogno, U.S. Fish and Wildlife Service  
Mary Lucachick, Idaho Department of Parks and Recreation (by phone)  
Charlie Vincent, American Whitewater (by phone)  
Kevin Lewis, Idaho Rivers United (by phone)  
Dave Teuscher, Idaho Department of Fish and Game

**Others Present**

Eve Davies, PacifiCorp  
Kelly Holt, PacifiCorp  
Scott Christensen, Greater Yellowstone Coalition  
Jeff Seamons, Citizen of Preston  
Claire Bosen, Twin Lakes Canal Company  
Leif Wallen (Williams Creek landowner) - afternoon

**ECC Members Not Present:**

Hunter Osborne – Shoshone-Bannock Tribes  
Susan Rosebrough – U.S. Park Service

## **Review of April ECC Meeting Notes**

Notes were accepted with changes from Monte Garrett and Marv Hoyt.

## **Updates – Monte Garrett, Environmental Coordinator, PacifiCorp**

### **Black Canyon Monitoring Plan**

Garrett said he received the Black Canyon Monitoring Plan with comments from IDEQ incorporated. He will now draft an RFP. The ECC will have an opportunity to review the RFP at the next ECC meeting.

### **Thermal Imaging**

Garrett said two bids were received for the thermal imaging task. One was much higher than the other. IRZ consulting (\$85,000 bid) will likely be chosen, as the agencies have experience with the firm. Capurso stated concern that IRZ may make use of proprietary software to search the database generated from the imaging work. He said if that is the case, it may make it difficult to share and manipulate data for future tasks related to BCT restoration planning without utilizing the contractor's continued services. Capurso said the ECC should check the RFP to assure that the data is usable by ECC agencies, or ask the contractor about this before accepting the bid. Lynn Van Every suggested that the ECC invite IRZ to the next ECC meeting to discuss the issue. Dave Teuscher agreed to arrange for IRZ to attend. Capurso also noted that Dave Hull (IDEQ) had asked about the possibility of flying the river in winter to pick up hot spots (thermal refugia). Capurso noted that the ECC had budgeted morning/afternoon flights and asked whether winter/summer flights would be an option instead.

### **Telemetry Study**

Teuscher said the Telemetry Study is going well and 32 fish have been tagged. He said 80 miles of the river have been surveyed (electrofished) so far. He reported low densities of Bonneville cutthroat trout (BCT). Five were tagged in the Cub River, the rest were tagged in the mainstem Bear River upstream of Alexander. Teuscher said IDFG had flown the project area and were able to locate tagged fish, and they are starting to record locations. He noted that no BCT have gone up the Thomas Fork yet. Teuscher said the temperature tags are working very well, about 90 percent get enough of a signal from air to get a temperature reading. Temperature data are collected from 100 percent of tags tracked by ground, he said.

Warren Colyer said he believes there may be large losses of migrating fish during the irrigation season this year. Teuscher said there could be, as access to the tributaries is good this year, so fish could go up the tributaries, and later not make it back down. Teuscher said IDFG has received permission to electrofish Cottonwood Creek this year, and the tags they put on fish captured have a mortality indicator (i.e., if the fish stops moving, they know it's dead). Teuscher said IDFG would like to tag 10 more BCT. Only one tagged fish has died so far.

Colyer asked if Tuescher would be willing to electrofish some of the key tributaries to the Bear in June to catch post-spawning BCT. Tuescher said he would like to electrofish Williams and Cottonwood Creek. Colyer said he has a crew that could help with this effort. Tuescher and Colyer agreed to talk about this more and schedule a time to electrofish these tributaries.

### **Cottonwood Diversion**

Eve Davies and Colyer said they visited the site of the Cottonwood diversion recently. Colyer said he is not sure if the diversion is actually a barrier to fish, as least at this time, but added that at lower water it could be. He said it definitely diverts fish into the irrigation canals. Tuescher said he would like to visit the diversion site. Davies agreed to get contact information for the landowner to Tuescher.

### **Grace/Cove Site Plan**

Davies noted that field work will be proceeding at Grace/Cove and she needs to receive any comments ECC members may have on the draft site plan by next week or sooner.

### **Water Bank**

Deb Mignogno asked ECC members to consider Jodi William's earlier discussion with the ECC regarding creation of a water bank. She noted that Williams had told the ECC about an earlier group who had begun researching creation of a water bank on the Bear, but the plan had fallen through. Mignogno said she would like the ECC to work with the Bear River Commission to create a water bank. She said she would like the ECC to provide funding in order to get others to participate. Mignogno said the ECC should begin work on this as soon as possible, as it takes a long time to put something like this in place. Garrett agreed to contact Williams and Lynn Van Every agreed to contact Jack Barnett (Bear River Commission) about meeting with the ECC in June. Colyer agreed to check to see whether Trout Unlimited has someone knowledgeable in water law that would be interested in participating in the discussion. Capurso noted that in water banking, water is acquired from willing sellers and banked for others to use.

### **Cove Sediment Sampling and Environmental Report**

Garrett discussed the results of recent sediment sampling in the Cove forebay. He noted that relatively high levels of phosphorus were found, and that mercury and selenium were also found, but that levels of these contaminants do not appear to be different from background levels in this area. Van Every said that selenium seems to be within background levels, but that data was lacking for mercury. Van Every said he compared levels found in the Cove forebay to data for the Bear River in California, and that mercury levels compare with that location, which is an area impacted by historic gold mining. Van Every said he is not yet sure how to interpret these data (for mercury). Capurso said he'd like to know whether IDEQ is concerned about the sediment moving downstream. Van Every said no, but he is still researching the mercury data. He said his preliminary feeling is that there is no problem with heavy metals. Van Every said that with the measures PacifiCorp plans to take, IDEQ is OK with decommissioning. He said turbidity will be a concern, but if decommissioning can go forward without violating state

water quality standards, IDEQ will be OK with it, recognizing the benefit of taking out the dam.

Capurso asked about the amount of sediment in the forebay. Garrett said more information (a contour map) will be included in the Environmental Report (circulated next week). Garrett summarized that findings on the amount of sediment present in the forebay did not alter previous plans for dam removal discussed by ECC.

### **Settlement Agreement for Cove**

Garrett noted that the documents for Cove decommissioning to be circulated next week will include the Settlement Agreement, the Environmental Report, and the Removal Plan. He said it is a large package, and he plans to distribute it to ECC members as hard copy in regular mail and also post them on the website. Garrett said the review period begins this Friday and goes through mid June. ECC members' comments will then be incorporated, and the documents will be circulated for one more week of review in preparation for signing the Agreement. Garrett said the signing ceremony will likely be in the middle of July, the amended Bear River license received by mid-year 2006, and decommissioning work completed by November 2006.

Colyer mentioned a USU professor, Jack Schmidt, who specializes in dam removal. He said Schmidt may be interested in conducting a study (using graduate students) on the healing of the river after decommissioning. Garrett said it appears that it will be at least a year before the work begins, which should provide adequate time to consider such a study. Van Every agreed that the study would be a good opportunity.

Garrett asked ECC members to go back to their agencies and identify the person who will take part in the signing ceremony and give them advance notice of the schedule. Hoyt asked Garrett to consider having the signing ceremony at Grace, to coincide with that month's ECC meeting.

### **Twin Lakes**

The ECC proceeded with discussion of the ECC's proposed memo to FERC regarding its position on the Bear River Narrow project (Twin Lakes). Teuscher said he had discussed the memo with his supervisors. He said the direction he was given was that Idaho Department of Fish and Game had sent a letter of concern to the Idaho Water Board about a year ago, and their position has not changed, so IDFG does not see the need to participate in this memo. Therefore, he said, the memo should not state that participation is unanimous.

Mignogno said she believed one letter from the ECC would not have as much impact as a separate letter from each agency. Hoyt said he still believes that the ECC should state its opinion. Garrett suggested that the ECC still send the memo, but include participating members only.

Hoyt said he believed that would water down the effect of the memo. He said the ECC should let FERC know this project is in direct opposition to the ECC's FERC licensed Agreement.

Colyer suggested revising the memo to state, "the below-signed parties are unanimous in their opposition."

ECC members were polled and only IDFG did not wish to sign. Garrett edited the memo accordingly and will circulate for response. He said if he received no further comments from the ECC within 5 days, he will send the memo to FERC at that time.

### **Environmental Coordinator**

Mignogno asked about PacifiCorp's progress on hiring a new environmental coordinator for the Bear River ECC. She said she hopes the new EC will do a lot of the ground work on projects. Garrett said PacifiCorp plans to continue to provide one FTE. Capurso said to address this concern over the next few years, the ECC will monitor the amount of time the EC is spending on various tasks and see that the EC is covering responsibilities expected in the Settlement Agreement.

### **Funding Proposals – Deb Mignogno**

The ECC heard a report from the funding proposal subcommittee regarding the results of the subcommittee's May meeting.

### **Conservation Hatchery**

Hoyt restated his stance regarding IDFG's press release on stocking rainbow trout (RBT) in the Cove area.

In regard to developing a conservation hatchery, Tuescher said he's opposed to putting hatchery BCT over naturally reproducing BCT in the Bear River for several reasons. However, IDFG's long-term goal is to enhance BCT in that reach. Colyer said he believes it would be better to use hatchery BCT than hatchery RBT. He said the hatchery BCT could be sterilized just as the RBT are, and it would get people used to catching native fish, etc. Tuescher cited expense as the main problem. Koelsch said he believed that if stocking of RBT is short term, then it's probably OK.

Colyer objected to recent RBT stocking in the Cove area, and said that adding another RBT stocking site just adds to problems.

### **Meeting Schedule**

The ECC agreed to continue meetings monthly through September.

### **Proposed Agenda Items for June**

Updates

RFP for Black Canyon Monitoring – 15-30 min

Bring in consultant for thermal imaging - 1 hour

Jack Barnett & Jody Williams to talk about water bank – 1 hour

Settlement Agreement for Cove, signing ceremony – identify who will sign. -30 min

Update from Proposal ranking subcommittee – 1 hour

Hear report from funding subcommittee

Make a decision on funding proposals

Revisions to the Funding Proposal Long form and ranking scheme – 1 hour