

Final Notes
Bear River Environmental Coordination Committee Meeting
December 6, 2006
Pocatello, Idaho

Commitments Made at the December 6, 2006 Bear River ECC Meeting	
All	<ul style="list-style-type: none"> • Next ECC meeting Feb. 14, 2007, IDEQ offices, Pocatello. • Contribute photos for the 2006 Annual Report. Forward to Miriam Hugentobler.
Warren Colyer	<ul style="list-style-type: none"> • Draft ECC letter (position statement) regarding Twin Lakes dam proposal.
Mark Stenberg	<ul style="list-style-type: none"> • Discuss ECC position statement on Twin Lakes with PacifiCorp management. • Work with Sagebrush Steppe Land Trust to tighten proposal for managing conservation easements. Circulate to ECC and bring to next meeting for discussion. SSLT will not proceed further until decisions are made. • Contact thermal imaging consultant regarding schedule of completion of thermal imaging. Advise ECC members of schedule. • Forward flyers for solicitation of 2007 grant proposals for next funding cycle to past grantees.
Eve Davies	<ul style="list-style-type: none"> • Circulate Oneida Site Plan (with edits highlighted) to ECC members for review. • Speak with Ken Theis regarding completion of Kackley Springs plan.
Jim Capurso	<ul style="list-style-type: none"> • Forward flyers for solicitation of 2007 grant proposals to NRCS.
Funding Proposal subcommittee members	<ul style="list-style-type: none"> • Be sure to include photographs of project sites for sponsored 2007 grant proposals. • Meet March 21, 2006, IDEQ offices, Pocatello to rank 2007 grant proposals.

ECC Members Present

Mark Stenberg, PacifiCorp
Kevin Lewis, Idaho Rivers United
Jim Mende, Idaho Department of Fish and Game
Warren Colyer, Trout Unlimited
Damien Miller, U.S. Fish and Wildlife Service
Marv Hoyt, Greater Yellowstone Coalition
Jim Capurso, U.S. Forest Service
Greg Mladenka, Idaho Department of Environmental Quality
Patrick Koelsch, Bureau of Land Management

Others Present

Tony Brown, SWCA
Buffi Morris, PacifiCorp
Dave Teuscher, Idaho Department of Fish and Game
Eve Davies, PacifiCorp

Monte Garrett, PacifiCorp
Miriam Hugentobler, Project Coordinator
Deb Mignogno, Sagebrush Steppe Land Trust
Gary Ratzlaff – Sagebrush Steppe Land Trust
Brent Nichols, Sagebrush Steppe Land Trust

Review of Agenda and Introductions

Tony Brown of SWCA was introduced to ECC members. He will be assisting Eve Davies with compliance monitoring.

A slide show of photos from Colyer's 2006 grant projects was added to the day's agenda.

Review of Interim Email Consensus Decisions

Since the October ECC meeting, the following decisions were made by the ECC through email voting:

- Redirect funds allocated for the McGregor fencing project to fencing in the Cove Bypass Reach.
- Fund additional analysis of Black Canyon monitoring samples by Oasis.

Twin Lakes Dam

Colyer provided an update on the proposed Twin Lakes dam. In November, a nonbinding vote regarding the proposed dam appeared on the Franklin County ballot. Colyer told ECC members that Trout Unlimited and Franklin County Fish and Game had taken out ads and radio spots stating opposition to the dam prior to the vote. Colyer said results showed 52 percent of voters opposed the dam. He feels that the advertising was successful. Colyer said Franklin County Fish and Game is now pressuring the Franklin County Council to send a letter of opposition regarding the dam to FERC. Colyer said dam proponents have scheduled public meetings for December, but it does not seem likely that they will take place as scheduled. Colyer said he still feels strongly that the ECC should weigh in on the project during the public comment period, which may be in December or January. He said he would like to have a statement ready for the public comment period. Koelsch noted that the ECC already sent a position statement regarding the dam to FERC. It was also noted that some agencies could not sign a letter that stated opposition to the dam.

Colyer proposed writing a letter to FERC stating that the ECC would oppose any project that is contrary to Settlement Agreement. The action could cause PacifiCorp's license to be modified, and reopen the Settlement Agreement. Colyer said he hoped that would resonate with FERC. He requested an open discussion of the proposal by the ECC.

Mende, Koelsch and Mladenka said they would support a statement as suggested by Colyer (i.e., focus on the effect of the project on the Settlement Agreement). Stenberg suggested that each agency send separate letters, stating similar things.

Mende said he believed the ECC should support Franklin County Fish and Game in their opposition to the dam. Colyer agreed and said Idaho Rivers United had worked very hard on the issue as well. Colyer said the dam proposal should be taken seriously, and he is afraid that people aren't viewing it as the serious proposal it is.

Miller said that USFWS has a process for letters like this, and that he probably could not sign onto an ECC letter. He said he could probably state concern about the effect of the project on the ECC's work.

Colyer said Trout Unlimited will send a letter to FERC stating that if the project is approved, Trout Unlimited will petition to reopen the Settlement Agreement. He said the letter would state that Trout Unlimited feels the need to protect its investment.

Hoyt requested an NGO caucus.

Teuscher suggested that Colyer proceed with drafting the letter, then each individual ECC member could run it through their process for approval.

Hoyt suggest sending the letter from the ECC, signed by the Environmental Coordinator. Stenberg suggested that ECC members write individual letters, as PacifiCorp would likely be among the non-signers of an ECC letter.

Lewis said that the ECC has no standing with FERC, but PacifiCorp does. Mladenka noted that the letter would be filed during the public comment period. Miller suggested wording the letter not as a letter of opposition, but as a letter expressing concern that the project could affect the FERC license, and state that the ECC will be watching the project closely. Then other agencies could state any concerns individually. Stenberg said he would be comfortable taking a letter worded in that way to PacifiCorp management.

Hoyt said Greater Yellowstone Coalition would be interested in reopening the Settlement Agreement if the dam proposal goes forward. He said that was to be the subject of the NGO caucus he requested earlier in the discussion.

Lewis asked whether PacifiCorp would be willing to write a letter. Stenberg reviewed concerns raised to FERC in PacifiCorp's 2004 and 2005 letters.

Colyer asked Stenberg whether he could go on record stating opposition to the dam. Stenberg said he would ask. Lewis said FERC needs opposition to be clearly stated. Stenberg said the Company's position on the project as we understand it, is as a neutral intervener.

Capurso also said he believes that if the project goes forward, the license should be reopened and the Forest Service would support revisiting the Settlement Agreement. He suggested that Stenberg take that information back to PacifiCorp management. Capurso said he would like Stenberg to go back to PacifiCorp management and ask for a letter that states PacifiCorp would not agree to a project that resulted in a license amendment. ECC members agreed unanimously with Capurso's proposal.

Garrett said because there is a limited amount of time for the ECC to file a protest and because it appeared that the project would materially impact PacifiCorp, it is a valid discussion to have with PacifiCorp management.

Lewis clarified that the requested letter would not state that PacifiCorp opposed the project, but would refuse to reopen its license.

Hoyt withdrew his request for an NGO caucus.

Gilbert Site Plan - Sagebrush Steppe Land Trust

Stenberg noted that at the last ECC meeting, a small group volunteered to work on the site plan. The group agreed to modify the site plan as drafted, as it goes beyond baseline. He said the group started looking at goals, as SSLT's goals may go beyond the ECC's goals and what it would be willing to fund. It was decided to make a list of goals for appendix of site plan.

Site Plan Appendix C: Proposed ECC funded management plan activities

- Monitoring (2-4 trips/year)
 - Weed control inspections
 - Trespass inspection – fences, public, cattle, neighbors
- Property Tax – actual costs paid
- Liability insurance – actual costs paid
- Weed control at actual cost to comply with state noxious weed control law
- Fencing – at actual cost, includes installation, repair and maintenance to exclude grazing including any survey needs. Specifically, the northwest corner and boundary line between BLM and Trust land. Other areas as needed.
- Any unanticipated costs associated with ownership and management of the property (Note – this item added by SSLT after work session)
- Provide funds to build endowment to cover these management activities in perpetuity.

Stenberg said the ECC would cover expenses at actual cost through the life of the license, with an endowment to fund work after the license expires.

Stenberg presented a spreadsheet of expenses relative to the site plan (Attachment 1) Mende asked how the expenses would be funded. Stenberg said that in 2007, the ECC would need to fund annual maintenance and consider funding an endowment in one lump sum.

Miller said that at the last ECC meeting he stated that proposed costs for managing the land were too high. He said since then, he has participated in the subcommittee process and learned of the MOA. He said he understands that the ECC is committed to this project, but should watch future projects.

Stenberg suggested grouping projects according to whether they are proposed by the ECC or SSLT. He said ECC could chose to fund SSLT projects at another level.

Colyer said he does not believe the ECC will fund land purchases in the future. He said he also objects to proposals to use habitat enhancement funds for weed control on the Gilbert parcel. He said he would support using land and water acquisition funds for annual maintenance rather than habitat enhancement funds.

Stenberg called for a vote on the following proposals for funding management of the Gilbert parcel:

- 1) Pay trust one-time endowment of \$56,000 for management costs after 2033.
- 2) Pay actual costs through end of license.
- 3) Whether to include unanticipated costs.
- 4) Which funds would be used.

Hoyt stated that he had a problem with the ECC covering unanticipated costs (see Management Plan Appendix C). He asked who would decide what costs were unanticipated. Davies said there could be many creative solutions to meeting costs, including by PacifiCorp. Hoyt said his concern is that unanticipated costs could be due to management by the land trust. Hoyt said he would feel more comfortable with the ECC paying half of unanticipated costs, with SSLT paying the other half.

Nichols asked ECC members to please keep in mind that the ECC directed SSLT to purchase this land and has agreed in the MOA to fund maintenance in perpetuity, and that includes unanticipated costs.

Miller said he is also concerned with unanticipated cost language. Davies said there should be ongoing dialogue about what unanticipated costs are covered each year. Ratzlaff and Nichols said they expect that process. Koelsch asked if SSLT would be comfortable allowing the ECC to veto some costs. Nichols said yes, unless it was an emergency situation.

Hoyt said he was still concerned about Appendix C, as it locks in the ECC to fund.

VOTE:

- 1) Pay trust one-time endowment of \$56,000 through land and water acquisition funds.
- 2) Pay actual costs through end of license.
- 3) Which fund will the costs come out of? – Land and Water Acquisition Funds.

Unanticipated costs will be discussed further and vote may be by email. Also in the interim, the group will be working on how the endowment will work, where to deposit the money so that it goes with the land, etc.

Stenberg pointed out that when the Gilbert piece is in place, and with additional opportunities on BLM land and the Cove buffer, 3 river miles will be protected, and with Kackley Springs could provide spawning habitat for Bonneville cutthroat trout.

Consensus check, item 1

Koelsch, Mende, Lewis, Hoyt, and Colyer – yes
Capurso – no

Capurso said there are other land trusts and federal agencies that could do this work for without charge. When you consider the amount of money the land trust is requesting for managing the acquired lands, perhaps that money can be spent on more meaningful conservation measures such as fish passage.

Hoyt said he did not believe an agency would accept the parcel because it is isolated and agencies seem more interested in divesting. He said he doesn't believe anyone would manage the land for free.

Capurso disagreed. Idaho Parks Foundation said they would. BLM would not charge for management of donated lands.

Mende said that IDFG has accepted land donations in the past and ended up in financial straits. He said the agency is beginning to ask for endowment funds when property is donated, just as SSLT is.

Miller asked about the possibility of finding a conservation buyer. He asked whether the MOA precludes this possibility. Stenberg said that during previous discussion, the ECC did not believe the parcel would be attractive to a conservation buyer.

Colyer said he was not sure the ECC should turn the parcel over to a federal agency. He said the BLM property is the worst in the immediate area. He said he is not sure management by a federal agency would suit the ECC's purposes. He said the springs complex on property is pretty spectacular and he would like the ECC to help manage the property.

Hoyt said the ECC should have a presentation by high level BLM and Forest Service real estate specialists and have them tell us what they can/cannot do with donated land.

VOTE:

1) Pay trust one-time endowment of \$56,000 through land and water acquisition funds.
Koelsch, Mladenka, Miller, Lewis, Mende, Hoyt, Stenberg, Colyer – yes
Capurso - no

2) Pay actual costs through end of license – without unanticipated costs – using land and water funds.
Koelsch, Mladenka, Miller, Lewis, Mende, Hoyt, Stenberg, Colyer – yes
Capurso - no

Stenberg asked for ECC volunteers to work with SSLT as they become established. He also told ECC members that Conder had reached an agreement with the Kackleys to drop mineral rights on the property in exchange for an agreement to rename the parcel “the Kackley parcel.”

Bear River Easements – Cove Bypass – Report by Sagebrush Steppe Land Trust

Nichols provided handouts to ECC members, including a copy of his Powerpoint presentation titled, “Bear River Easements – Cove Bypass,” draft purchase agreements for the conservation easements, and a draft conservation easement agreement.

Nichols told ECC members that cost was not included to protect the conservation easements in case the property went into foreclosure. Stenberg said that would be a good step.

Stenberg asked about the level of detail of the planned baseline inventory, for example, would it consist of photodocumentation or an intensive inventory of conservation values? Davies noted that current baseline conditions on some of the properties are not great. Nichols noted that plans may specify that baseline be reset after conservation measures are in place for a number of years.

Site Management Plan for Conservation Easements

Stenberg said he sees management on the easements as very simple. It’s basically the fence, he said. For the initial 30 years, PacifiCorp will go out and walk fence annually and note whether it is intact. If no, PacifiCorp will mend the fence and perhaps visit with the landowner. Weed control would still be the responsibility of the landowner. He said the easement buys the right to exclude cattle and get the vegetation back up.

Miller said he sees management as more than just the fence and keeping cows out. It’s also keeping the native vegetation intact, he said.

ECC members unanimously agreed to waive the cost of/need for appraisal on these properties, as the parcels are so small.

Stenberg said the ECC will make a decision on the conservation easements in the future. A vote was not taken at this meeting, as it was not noted on the agenda. SSLT representatives were excused from the meeting.

Stenberg told ECC members he will work with SSLT to tighten the proposal and will circulate it to ECC members and call for an email consensus vote. He said if the ECC does not reach consensus by email, the proposal will be brought to the next ECC meeting. SSLT will not proceed further until decisions are made.

Hoyt requested more dialog on conservation easements at an ECC meeting before calling for an email vote. He said the issue warrants a lot more discussion. ECC members agreed to add continued discussion of conservation easements to a future agenda.

Project Updates

Sam Smith Proposal - Mignogno

This land acquisition proposal was ranked during 2006. Not much cost share is available at this point. Mignogno said she is trying to identify matching funds for the proposal. Stenberg noted that project ranked highest in 2006, but the ranking was based on matching funds that now are not available.

Hoyt said he was concerned about the trust bringing in proposals outside the normal funding process. Stenberg asked what the ECC would like to do about approved grant proposals when situations change, and how long proponents should have to implement their project before their money is reallocated.

Stenberg asked Mignogno to provide more information on the Sam Smith proposal during the next funding cycle.

IDFG Parcel – Teuscher

Teuscher said not much as happened on the project and he is not sure if the parcel had been appraised. He said he will check in and report back.

Thermal Imaging - Stenberg

Stenberg told ECC members that the results from thermal imaging are due from the consultant December 15. He said the data are going to PacifiCorp's GIS Department in Portland for archiving. He said PacifiCorp will then share the data with others, primarily by archiving on the bearriverinfo website. Stenberg said he will contact the consultant and ask for a schedule of what sections will be available when. He will then send the schedule to ECC members.

BCT Telemetry & Genetics - Teuscher

Teuscher said telemetry data show that fish are selecting coldwater habitats during summer. He said he will add thermal imaging data to the report and information will be more complete. Teuscher said Ryan's (ISU graduate student) thesis work won't be available for quite a while. He said he would consider completing and sharing portions as they are available rather than waiting for the entire report to be complete. Teuscher said the genetics work will be finished in approximately a month.

Stenberg told ECC members that a PacifiCorp fisheries biologist has agreed to write the first draft of the Bonneville Cutthroat Trout Restoration Plan.

2006 Annual Report – Stenberg/Hugentobler

Stenberg said the 2006 Annual Report will be circulated for review by ECC in mid January. Hugentobler asked for contributions of photos for the annual report.

Oneida Site Plan - Davies

Davies said the Oneida Site Plan is not yet complete, as she was busy with the Cove buffer fencing project.

Slideshow – Work on Cub River and Cottonwood Creek - Colyer

Colyer shared photos of fish passage structures installed at Cub River and Cottonwood Creek during 2006.

Funded Grant Projects - Stenberg

Stenberg said he is still waiting for letters requesting funds from S. Liberty Irrigation, Skinner Creek, and Bear Lake County Road Department. Letters must be received before funds are disbursed.

Stenberg said Theis has been funded for work on Kackley Springs, and he would like to get Theis's report before spring so that work can begin at Kackley Springs. Stenberg said the ECC needs to see the report, chose an alternative, and start work this spring. Davies will contact Theis.

Colyer said work on the Ovid project is complete. He said he may be coming back to the ECC for additional funding, as the project is over budget by approximately \$12,000.

2007 Funding Cycle

Stenberg reminded ECC members that the next funding cycle is in February 2007. He noted that application materials and a flyer are available on the ECC's website. Stenberg said he will distribute flyers to past grantees. Capurso will provide flyers to NRCS offices.

Future ECC Meetings

ECC members agreed to go back to meeting on the third Wednesday, every other month. An exception was made for February 2007, as the schedule conflicts with a fisheries society meeting.

The next ECC meeting will be February 14. There will be a daylong work session on the Bonneville Cutthroat Trout Restoration Plan. Frank Shrier will attend.

The Funding Proposal Subcommittee will meet March 21 to rank funding proposals.

Both meetings will be held at IDEQ offices in Pocatello.

Project Ranking Forms

Stenberg went through comments on the ranking forms made during the 2006 ranking session. An updated ranking form is attached (Attachment 2)

ECC members discussed whether there should be a minimum score cutoff for funding. It was agreed that a policy should be put in writing.

Stenberg asked ECC sponsors to have photos of project sites at the ranking meeting.

Plans versus Projects

Stenberg discussed preparation of plans versus on-the-ground projects and presented a draft policy (Attachment 3). He said he believed a study is not something that should be ranked, rather it is step one of a project.

Miller suggested that a certain percent of funding be available each year for plans (say, 10 percent). Hoyt agreed. Davies suggested writing a ranking form for plans. Stenberg asked for a volunteer to edit the policy. Instead, ECC members decided to use Stenberg's policy provisionally to see if it works.

Data Sharing Policy

Stenberg presented a draft Data Sharing Policy (Attachment 4)

February Agenda:

Diversion discussion points.
BCT Restoration Plan

Attachments

- Attachment 1 – Gilbert Site Plan Expenses (spreadsheet)
- Attachment 2 – Project Ranking Forms, revised 12/06/06
- Attachment 3 – Proposed ECC Funding Policy – Projects vs. Plans
- Attachment 4 – Proposed ECC Data Sharing Policy

Draft Stewardship Costs – Gilbert (Kackley) Parcel

Year	Escalated Annual Maintenance Cost	Endowment Fund needed to produce interest income equal to escalated maintenance cost	Growth of Endowment Fund with one time payment in 2007.
2007	\$4,937	\$58,083.53	\$56,000
2008	\$5,184	\$60,987.71	\$60,760
2009	\$5,443	\$64,037.09	\$65,925
2010	\$5,715	\$67,238.95	\$71,528
2011	\$6,001	\$70,600.89	\$77,608
2012	\$6,301	\$74,130.94	\$84,205
2013	\$6,616	\$77,837.48	\$91,362
2014	\$6,947	\$81,729.36	\$99,128
2015	\$7,294	\$85,815.83	\$107,554
2016	\$7,659	\$90,106.62	\$116,696
2017	\$8,042	\$94,611.95	\$126,615
2018	\$8,444	\$99,342.55	\$137,377
2019	\$8,866	\$104,309.67	\$149,054
2020	\$9,310	\$109,525.16	\$161,724
2021	\$9,775	\$115,001.42	\$175,471
2022	\$10,264	\$120,751.49	\$190,386
2023	\$10,777	\$126,789.06	\$206,568
2024	\$11,316	\$133,128.51	\$224,127
2025	\$11,882	\$139,784.94	\$243,177
2026	\$12,476	\$146,774.19	\$263,848
2027	\$13,100	\$154,112.90	\$286,275
2028	\$13,755	\$161,818.54	\$310,608
2029	\$14,442	\$169,909.47	\$337,010
2030	\$15,164	\$178,404.94	\$365,655
2031	\$15,923	\$187,325.19	\$396,736
2032	\$16,719	\$196,691.45	\$430,459
2033	\$17,555	\$206,526.02	\$467,048
2034	\$18,432	\$216,852.32	\$506,747

**Bear River Environmental Coordination Committee
Approval and Ranking Criteria***

Revised – December 5, 2006

Project Name:

Project Proponent:

ECC Sponsor:

Amount Requested:

Date of Proposal:

Checklist

- _____ Proposed project is consistent with BCT plans and/or other fishery management plans/land management plans/other species management plans.
_____ Proposed project is within the project area.
-

185 Possible Points

1) Fish species expected to benefit from proposed project (20 points):

BCT and other native species	20 points
BCT only	15 points
Other native species	10 points
No native species	0 points
TOTAL: _____	

2) Project (on own merits) is expected to protect or increase distribution and numbers of target native fish species (20 points)

Greatly on a watershed scale (5 th field HUC)	20 points
Moderately in >2.0 miles of stream or >25% of watershed	15 points
Somewhat in 0.5-2.0 miles of stream or 10-25% of watershed	10 points
Limited in <0.5 miles of stream or <10% of watershed	5 points
Project is not expected to increase distribution/numbers	0 points
TOTAL: _____	

*** Note: This form is provided for applicant reference only. It will be filled out by the ECC upon receipt of funding application.**

3) *Project will benefit target fish species by protecting, restoring, or enhancing (mark all that apply (15 points)*

Stream channel	2 points
Stream banks	2 points
Spawning (2 pts.) and/or rearing (2 pts) habitat	4 points
Fish passage, connectivity	5 points
Bank and channel cover	2 points
TOTAL: _____	

4) *Non-fish aquatic/terrestrial species expected to benefit from proposed project (10 points):*

Benefit to non-fish native aquatic and/or terrestrial special designation species	10 points
Other non-fish native aquatic species	5 points
Little value to non-fish native aquatic/terrestrial species	0 points
TOTAL: _____	

5) *Fish and wildlife aquatic and/or riparian habitat expected to benefit from proposed project (15 points)*

Project will protect/restore high quality critical/essential habitat for at risk species or limited habitat important on a landscape scale (i.e., spring systems)	15 points
Project will protect/restore high quality habitat limited in the local area	10 points
Project will protect/restore common habitat in the local area	5 points
Project will do little to protect/restore habitat	0 points
TOTAL: _____	

6) *Effectiveness of the project (15 points)*

(ECC sponsor, state the problem this project would address. What are the project's merits at site?)

Project solves original problem	15 points
Project partially solves original problem, other problems are likely to be corrected	10 points
Project partially solves original problem, other problems are not likely to be corrected	5 points
Project does not deal with the cause of problem	0 points
TOTAL: _____	

7) *Time frame for expected benefits (15 points)*

Project benefits will last >25 years	15 points
Project benefits expected to last 5-25 years	10 points
Project benefits expected to last <5 years	5 points
Project benefits are minimal	0 points
TOTAL: _____	

8) *Expected ecological benefits relative to ECC cost (10 points)*

Project benefits high relative to cost	10 points
Project benefits about equal to cost	5 points
Project cost exceeds benefits	0 points
TOTAL: _____	

9) *Cost sharing or in-kind services (percent of project funded from other sources) (15 points)*

Financial and/or in-kind support exceeds 75% of project costs	20 points
Financial and/or in-kind support exceeds 50% of project costs	15 points
Financial and/or in-kind support exceeds 25% of project costs	10 points
Financial and/or in-kind support is less than 25% of project costs	5 points
No financial and/or in-kind support	0 points
TOTAL: _____	

10) *Project compliments existing or proposed projects (15 points)*

Project complements two or more existing or proposed projects and/or significant resource problems	15 points
Project complements one other existing or proposed project and/or significant resource problem	10 points
No complimentary projects	0 points
TOTAL: _____	

11) *Project permitting/compliance responsibilities (10 points)*

Project permitting/compliance responsibilities will lie with others, and not the ECC	10 points
No permitting/compliance responsibilities	10 points
Project permitting/compliance responsibilities assigned to the ECC	0 points
TOTAL: _____	

12) *Development Threat (Likelihood that the property in question will be developed, based on physical aspects of the property as well as location) (20 points)*

Imminent (90% likelihood of development within 5 years)	20 points
Likely (90% likelihood of development within 10 years)	15 points
Possible (90% likelihood of development within 20 years)	10 points
Unlikely (likely to remain undeveloped for the life of the 30 year license)	5 points
Not applicable—property cannot be developed	0 points

TOTAL: _____

TOTAL POINTS: _____

Background

During the last two grant cycles the ECC has discussed prioritization of grant requests for studies vs. direct habitat improvement projects. The ECC has grappled with how to rank study projects that in the current ranking scheme may rank highly because of the potential for wide benefits but may never result in on the ground habitat improvements.

Intent

It is the intent of this policy to apply a definition to study projects that results in projects leading to on the ground improvements being ranked by the ECC and potentially funded.

Study Project Definition

Study projects that would be considered for ranking and funding through the habitat enhancement fund will:

- 1) Be well scoped to clearly demonstrate that this is phase one of a multi-phase project with a clear end goal resulting in completion of on the ground site specific habitat enhancement.
- 2) Demonstrate that this first step is required to move toward desired final outcome.
- 3) Project must be considered feasible and reasonable by ECC members.
- 4) Like all projects, it must align with ECC conservation goals of improving water quality and habitat for native aquatic species.
- 5) Ranking of project does not require many assumptions concerning the final on the ground project effects.
- 6) Phase one can be engineering studies or design as well as collection of local aquatic or stream information that is directly required for the design and implementation of subsequent phases of a project. Phase one may include alternative analysis to best identify a preferred approach to the project.

Study projects that would not be considered do not meet the six points above, and for example the following would not be funded:

A study project to collect aquatic information, albeit interesting, which may or may not be useful for unspecified future habitat projects.

Proposed ECC Data Sharing Policy
M. Stenberg 12/5/06

Background

The ECC through the course of implementing requirements in the Bear River Hydroelectric Project Settlement Agreement and License will be completing research projects. It is recognized by the ECC that the results of these projects are important to others in academia, the utility industry and conservation community. As some of these studies are coming to completion the question of at what point and under what circumstances can collected data and the final study be made available.

Intent

The intent of this policy to make data and study results available in a useful and timely manner while avoiding potential of data release and analysis by third party before the original research project is complete and findings endorsed by the ECC.

Policy

The data analysis, final report preparation and ECC approval will be complete before release of data collected as part of research projects funded through License and Settlement Agreement mechanisms.