

**Bear River ECC  
Final Meeting Notes  
Grace, Idaho  
June 15, 2011**

**ECC Members Present**

Mark Stenberg, PacifiCorp  
 Cary Myler, US Fish and Wildlife Service  
 Dave Teuscher, Idaho Department of Fish and Game  
 Marv Hoyt, Greater Yellowstone Coalition  
 Lynn Van Every, Idaho Department of Environmental Quality  
 Kirk Dahle, Trout Unlimited  
 Charlie Vincent, American Whitewater

**Others Present**

Eve Davies, PacifiCorp  
 Kevin Colburn, American Whitewater, by phone

<b>Commitments Made at the June 15, 2011 ECC Meeting</b>	
All	<ul style="list-style-type: none"> <li>• A conference call will be held to discuss comments on the Black Canyon monitoring report. Call is scheduled for 10 a.m., Wed., July 13. Details to follow via email.</li> <li>• <a href="#">Review Land Management Plan (LMP) and provide comments prior to August meeting. A vote to approve the plan will be called at that meeting.</a></li> </ul>
Stenberg	<ul style="list-style-type: none"> <li>• Follow up with email vote on 2011 funding for SSLT.</li> <li>• Follow up with email vote on the Nichols/Whiskey Creek project.</li> <li>• Arrange line for conference call to discuss comments on Black Canyon report (10 a.m., Wed., July 13).</li> <li>• <a href="#">Obtain additional information on Hansen, Hardcastle proposals. Route revised proposals to funding subcommittee.</a></li> <li>• <a href="#">Meet with South Liberty irrigation about a possible water rights purchase (with Dahle).</a></li> <li>• <a href="#">Consider placing a link to IDFG management planning Powerpoint on ECC website or consider posting the file.</a></li> </ul>
Davies	<ul style="list-style-type: none"> <li>• Coordinate with Westerberg on ECC project GIS data in order to provide to IDFG.</li> <li>• <a href="#">Distribute redline of LMP to ECC.</a></li> </ul>
Dahle	<ul style="list-style-type: none"> <li>• Coordinate work on Cottonwood and Treasureton screens with Stenberg, Myler – prepare project proposal.</li> <li>• <a href="#">Meet with South Liberty irrigation about a possible water rights purchase (with Stenberg).</a></li> </ul>
Teuscher	<ul style="list-style-type: none"> <li>• Prepare BCT broodstock report .</li> <li>• Review Conservation Hatchery Funding Agreement</li> <li>• Follow up on alternative water source at Laurie Harris spring (Hillyard).</li> </ul>

Commitments Made at the June 15, 2011 ECC Meeting	
Myler	<ul style="list-style-type: none"> <li>• Coordinate work on Cottonwood and Treasureton screens with Stenberg and Dahle – prepare project proposal.</li> </ul>
Van Every	<ul style="list-style-type: none"> <li>• Provide comments on Black Canyon monitoring report</li> <li>• Provide a status on Black Canyon temp data prior to July 13 conference call.</li> </ul>
Hugentobler	<ul style="list-style-type: none"> <li>• Distribute action items to ECC members via email after meetings. Also follow up just prior to meeting with those who have items</li> <li>• Follow up on Deep Creek vote – attach to April meeting notes</li> <li>• Send notice of conference call to discuss comments on Black Canyon monitoring report to ECC. Call is scheduled for Wed., July 13 at 10 a.m.</li> <li>• Forward Nichols/Whiskey Creek ranking form to Stenberg for email vote.</li> </ul>
Items in blue have been carried over from previous ECC meetings	

### Decisions Made via Email Since the Last Meeting

- Approve the Deep Creek Management Plan and annual monitoring and maintenance expenses. This will formally adopt the conservation values, and goals and objectives for the property and allow Sagebrush Steppe Land Trust to proceed in the near term with 2011 monitoring and management activities.

A record of this vote is included in Attachment 1.

### Decisions Made at this Meeting

None.

### Items Added to the Agenda

None.

### Project Updates

Stenberg provided ECC members an update on habitat enhancement fund balances via overhead. Approximately \$100,000 currently remains in the habitat enhancement fund. About \$413,000 remains in the land and water fund.

**Laurie Harris Spring** – It was reported that the offsite water source funded by the ECC as part of this project is not functioning. The water source has already been completely re-worked once, and Davies thinks there may be a design flaw. Teuscher recommended funding additional work to get the water source functioning.

Stenberg said Gentile irrigators have reported problems with debris in their irrigation nozzles from sediment during boater flows, which he believes may be organic matter rather than

sediment. They have asked to attend an ECC meeting in the fall to discuss this issue. Davies asked whether there was potential for an ECC project there. Stenberg said possibly.

### **Whitewater Boater Flows**

Stenberg showed a table of 2011 boater flows with number of users observed by date. Flows are also scheduled to take place on the 18<sup>th</sup>, 10<sup>th</sup> and 25<sup>th</sup>, so 16 flows total are expected this year, he said. Hoyt noted that it has been a cool spring, and that may be why numbers of users are not as high this year.

Stenberg reviewed 2011 runoff flows with the ECC. A call was placed to Connely Baldwin (PacifiCorp) to confirm Bear Lake levels. Van Every said this year's spring water level rise in Bear Lake is estimated to represent the largest single-year gain ever recorded in the lake.

### **Conservation Hatchery Update**

Teuscher said IDFG has been monitoring the fish trap at Kackley Springs. It is closed. He reported that no rainbow trout have been observed in Kackley, and also no brown trout. IDFG has stocked Whiskey and Trout Creeks and these streams now have Bonneville cutthroat trout (BCT) in them for the first time in a long time, he said. IDFG also spot-stocked BCT in many places, including the top of Trout Creek. The stocking should produce a resident spawning population there, he said. Teuscher said some nice work has been done on the Swenson property, where a buffer was gained through fencing by the landowner. On National Forest System land, Dinsmore and Caribou Creeks were stocked with BCT.

Stenberg said the three years of broodstock funding is coming to an end and the conservation hatchery phase is beginning. Stenberg said a written broodstock report will be needed for the ECC's annual report. Teuscher said he expects to complete that in July.

### **Cottonwood/Shingle Creek Site Visit – Myler**

Myler recently visited the property with landowner Lynn Davis and his son Paul Davis. Myler said a diversion in place on Cottonwood Creek on this property is killing a lot of fish. The land is flood irrigated. Screening of the diversion would be a priority on this property. Myler said he has some amount of funding (approximately \$25,000) to put towards this project. Trout Unlimited also has some 2011 funding earmarked for design on Blackfoot or Bear River projects (not implementation). Teuscher said these streams have some of the most robust populations in the state. It is a priority area but there are issues downstream, he said. The biggest issues are water and connectivity but currently the stream is at carrying capacity. Connectivity between Cottonwood and the Bear is a problem. Teuscher noted that IDFG now has its own design engineer.

## **Black Canyon Monitoring Report**

Stenberg asked ECC members whether they had comments on the draft report. Van Every said IDEQ will have comments, but they are not yet complete. He will forward them to Stenberg later. The addition of temperature data was brought up by Vincent, Van Every and Davies. Van Every will follow up when he provides IDEQ comments. ECC members agreed to schedule a conference call in July to discuss comments on the report.

## **Land Management Plan Update – Davies**

Davies said updates to the Land Management Plan will take a little longer than anticipated as edits are more extensive than expected. She said she plans to update monitoring specifications, for example. This should be complete by the next meeting, she said. Stenberg said he would like to file the plan with FERC by the end of the year.

## **Land Trust Updates**

<Closed Session>

## **Next Agenda**

The next ECC meeting will take place August 17, 2011 in Grace, ID. Agenda items include:

- Project proposals, updates on projects discussed (Harris spring, other?)
- Update on Black Canyon monitoring report
- Land Management Plan

The ECC adjourned to a Funding Subcommittee meeting.

## **Funding Subcommittee Meeting**

The subcommittee reviewed revised project proposals for Hansen and Whiskey Creek.

**Hansen** – This project was not ranked. Stenberg will obtain more information.

**Whiskey Creek** – This project was reviewed and ranked. Final score was 135. The subcommittee agreed to recommend that the ECC fund this project. An email vote will be called.

**Attachment 1: Record of Email Voting – Deep Creek Management Plan**

**Email Vote by the Bear River ECC  
Deep Creek Management Plan Approval, First Round of Voting  
April 22, 2011**

**Date:** Fri, 22 Apr 2011 12:24:20 -0700 [04/22/2011 01:24:20 PM MDT]  
**From:** ["Stenberg, Mark" <Mark.Stenberg@PacifiCorp.com>](mailto:Mark.Stenberg@PacifiCorp.com)  
**To:** [Blaine Newman <blaine\\_newman@blm.gov>](mailto:blaine_newman@blm.gov), [Charlie Vincent <charliev@xmission.com>](mailto:charliev@xmission.com), ["David Kampwerth \(David\\_Kampwerth@fws.gov\)" <David\\_Kampwerth@fws.gov>](mailto:David_Kampwerth@fws.gov), ["Hunter Osborne \(hosborne@sbtribes.com\)" <hosborne@sbtribes.com>](mailto:hunter.osborne@sbtribes.com), [Kevin Lewis <kevin@idahorivers.org>](mailto:kevin@idahorivers.org), ["Kirk Dahle \(kdahle@tu.org\)" <kdahle@tu.org>](mailto:kdahle@tu.org), ["Lee W. Mabey \(lmabey@fs.fed.us\)" <lmabey@fs.fed.us>](mailto:lmabey@fs.fed.us), [Lynn Van Every <Lynn.Vanevery@deq.idaho.gov>](mailto:Lynn.Vanevery@deq.idaho.gov), [Marv Hoyt <mhoyt@greateryellowstone.org>](mailto:mhoyt@greateryellowstone.org), [Miriam Hugentobler <yazoo@xmission.com>](mailto:yazoo@xmission.com), ["Rick Just \(rick.just@idpr.idaho.gov\)" <rick.just@idpr.idaho.gov>](mailto:rick.just@idpr.idaho.gov), ["Susan Rosebrough@nps.gov" <Susan\\_Rosebrough@nps.gov>](mailto:Susan_Rosebrough@nps.gov), ["Teuscher,David" <david.teuscher@idfg.idaho.gov>](mailto:david.teuscher@idfg.idaho.gov), ["Arn Berglund@blm.gov" <Arn\\_Berglund@blm.gov>](mailto:Arn_Berglund@blm.gov), ["Brimmer,Arnie" <abrimmer@idfg.idaho.gov>](mailto:abrimmer@idfg.idaho.gov), ["cary\\_myler@fws.gov" <cary\\_myler@fws.gov>](mailto:cary_myler@fws.gov), ["Cory Lyman \(clyman@fs.fed.us\)" <clyman@fs.fed.us>](mailto:clyman@fs.fed.us), ["dan\\_miller@nps.gov" <dan\\_miller@nps.gov>](mailto:dan_miller@nps.gov), ["Davies, Eve" <Eve.Davies@PacifiCorp.com>](mailto:Eve.Davies@PacifiCorp.com), [Greg Mladenka <Greg.Mladenka@deq.idaho.gov>](mailto:Greg.Mladenka@deq.idaho.gov), ["Kevin Colburn" <kcolburn@amwhitewater.org>](mailto:kcolburn@amwhitewater.org), ["Kirk Rich \(krich@idpr.idaho.gov\)" <krich@idpr.idaho.gov>](mailto:krich@idpr.idaho.gov), ["Yvette A. Tuell \(ytuell@sbtribes.com\)" <ytuell@sbtribes.com>](mailto:ytuell@sbtribes.com)  
**Cc:** ["Stenberg, Mark" <Mark.Stenberg@PacifiCorp.com>](mailto:Mark.Stenberg@PacifiCorp.com), ["Kolkman, Jack" <Jack.Kolkman@PacifiCorp.com>](mailto:Jack.Kolkman@PacifiCorp.com), ['Joselin Matkins' <joselin.matkins@sagebrushlandtrust.org>](mailto:joselin.matkins@sagebrushlandtrust.org)  
**Subject:** ECC Email Vote - Deep Creek Management Plan  
**Part(s):**  2 [FINAL Deep Creek Management Plan 4 22 2011.pdf](#)

Dear ECC Members,

In accordance with comments received at this week's ECC meeting, Joselin and I have updated the Deep Creek Management Plan for your approval. You'll find the costs in Appendix A of the Management Plan for estimated habitat improvements (mostly fencing), an estimate of annual monitoring and maintenance costs that would be paid by the ECC under the 2006 MOA for land trust services and the amount of funding to be paid one time for long term stewardship to be used after 2034.

PacifiCorp supports approval of the attached Plan and costs in Appendix A. I am requesting your email vote to approve the following:

- 1) Final Deep Creek Management Plan
- 2) Appendix A - Estimated Annual Funding for Monitoring and Maintenance to be paid on actual costs in the amount of \$3,704.
- 3) Appendix A - Estimated one time funding over three years for habitat improvements to be paid on

actual costs in the amount of \$75,928.

4) Appendix A – One-time payment to the long-term stewardship endowment fund of \$75,000.

Mark Stenberg  
 PacifiCorp Energy  
 Hydro License Program Manager - Idaho  
 208 547-7305

<b>Results of ECC Member Voting                      Deep Creek Management Plan Approval, First Round of Voting                      Email Query by Stenberg                      April 22, 2011</b>		
<b>Vote</b>	<b>Name</b>	<b>Organization</b>
yes	Lyman	USFS
delay	Dahle	Trout Unlimited
delay	Van Every	IDEQ
	Lewis	Idaho Rivers United
	Just	Idaho Parks and Rec
delay*	Teuscher	Idaho Fish and Game
delay	Berglund	BLM
	Osborne	Sho-Bans
yes	Miller	National Park Service
delay	Vincent	American Whitewater
delay	Hoyt	Greater Yellowstone
yes	Stenberg	PacifiCorp
delay	Myler	USFWS
*Delay approval pending review of the property by IDFG's lands committee.		

**Email Vote by the Bear River ECC**  
**Deep Creek Management Plan Approval, Second Round of Voting**  
**April 26, 2011**

**Date:** Tue, 26 Apr 2011 10:25:15 -0700 [04/26/2011 11:25:15 AM MDT]  
**From:** ["Stenberg, Mark" <Mark.Stenberg@PacifiCorp.com>](mailto:Mark.Stenberg@PacifiCorp.com)  
**To:** [Blaine Newman <blaine\\_newman@blm.gov>](mailto:blaine_newman@blm.gov), [Charlie Vincent <charliev@xmission.com>](mailto:charliev@xmission.com), ["David Kampwerth \(David\\_Kampwerth@fws.gov\)" <David\\_Kampwerth@fws.gov>](mailto:David_Kampwerth@fws.gov), ["Hunter Osborne \(hosborne@sbtribes.com\)" <hosborne@sbtribes.com>](mailto:hosborne@sbtribes.com), [Kevin Lewis <kevin@idahorivers.org>](mailto:kevin@idahorivers.org), ["Kirk Dahle \(kdahle@tu.org\)" <kdahle@tu.org>](mailto:kdahle@tu.org), ["Lee W. Mabey \(lmabey@fs.fed.us\)" <lmabey@fs.fed.us>](mailto:lmabey@fs.fed.us), [Lynn Van Every <Lynn.Vanevery@deq.idaho.gov>](mailto:Lynn.Vanevery@deq.idaho.gov), [Marv Hoyt <mhoyt@greateryellowstone.org>](mailto:mhoyt@greateryellowstone.org), [Miriam Hugentobler <yazoo@xmission.com>](mailto:yazoo@xmission.com), ["Rick Just \(rick.just@idpr.idaho.gov\)" <rick.just@idpr.idaho.gov>](mailto:rick.just@idpr.idaho.gov), ["Susan Rosebrough@nps.gov" <Susan\\_Rosebrough@nps.gov>](mailto:Susan_Rosebrough@nps.gov), ["Teuscher,David" <david.teuscher@idfg.idaho.gov>](mailto:david.teuscher@idfg.idaho.gov), ["Arn Berglund@blm.gov" <Arn\\_Berglund@blm.gov>](mailto:Arn_Berglund@blm.gov), ["Brimmer,Arnie" <abrimmer@idfg.idaho.gov>](mailto:abrimmer@idfg.idaho.gov), ["cary\\_myler@fws.gov" <cary\\_myler@fws.gov>](mailto:cary_myler@fws.gov), ["Cory Lyman \(clyman@fs.fed.us\)" <clyman@fs.fed.us>](mailto:clyman@fs.fed.us), ["dan\\_miller@nps.gov" <dan\\_miller@nps.gov>](mailto:dan_miller@nps.gov), ["Davies, Eve" <Eve.Davies@PacifiCorp.com>](mailto:Eve.Davies@PacifiCorp.com), [Greg Mladenka <Greg.Mladenka@deq.idaho.gov>](mailto:Greg.Mladenka@deq.idaho.gov), ["Kevin Colburn" <kcolburn@amwhitewater.org>](mailto:kcolburn@amwhitewater.org), ["Kirk Rich \(krich@idpr.idaho.gov\)" <krich@idpr.idaho.gov>](mailto:krich@idpr.idaho.gov), ["Yvette A. Tuell \(ytuell@sbtribes.com\)" <ytuell@sbtribes.com>](mailto:ytuell@sbtribes.com)  
**Cc:** ["Joselin Matkins" <joselin.matkins@sagebrushlandtrust.org>](mailto:joselin.matkins@sagebrushlandtrust.org)  
**Subject:** Deep Creek Management Plan Need Your Approval

Hello Everyone,

I just spoke with Joselin and we both support potential future IDFG management of the property. We both feel that we do need to approve the Management Plan at this time but should hold off on funding of fencing and long-term stewardship until the IDFG Land Committee makes a recommendation for potential management of the property by IDFG or not. At this time we need to approve the management plan for the following reasons:

The Trust holds the property in fee title and needs to proceed with the annual requirements for monitoring and management of the property. Funding cannot be released for annual expenses until the Management Plan is in place per the 2006 MOA. This includes trespass monitoring and weed control for 2011.

Approving the Management Plan will not affect in anyway the ability of the property to be transferred to IDFG. In fact, the Management Plan must be in place before any transfer to a third party can be considered for approval by PacifiCorp, per the 2006 MOA. Per the MOA the conservation values identified in the Management Plan along with the goals and objectives in the Plan must be upheld by the "third party" in the event of a proposed transfer. I don't believe that ECC members have anymore edits or additions to the plan and in the current version the language concerning transfer to a third party matches the requirements of the 2006 MOA allowing any entity to be considered that meets the

requirements.

From the Land Trust's viewpoint, commitments were made to the sellers that are described in the Management Plan. These commitments are the responsibility of the Trust to uphold and a third party would also need to agree to them as described in the Management Plan.

Once again, I am asking you to approve the Deep Creek Management Plan and annual monitoring and maintenance expenses as shown in Appendix A. This will formally adopt the conservation values, and goals and objectives for the property and allow the Trust to proceed in the near term with 2011 monitoring and management activities.

Mark Stenberg  
PacifiCorp Energy  
208 547-7305

<b>Results of ECC Member Voting Deep Creek Management Plan Approval, Second Round of Voting Email Query by Stenberg April 26, 2011</b>		
<b>Vote</b>	<b>Name</b>	<b>Organization</b>
yes	Lyman	USFS
yes	Dahle	Trout Unlimited
yes	Van Every	IDEQ
yes	Lewis	Idaho Rivers United
	Just	Idaho Parks and Rec
yes	Teuscher	Idaho Fish and Game
yes	Berglund	BLM
	Osborne	Sho-Bans
	Miller	National Park Service
yes	Vincent	American Whitewater
yes	Hoyt	Greater Yellowstone
yes	Stenberg	PacifiCorp
yes	Myler	USFWS