

**Bear River ECC  
Final Meeting Notes  
April 18, 2012  
Pocatello, Idaho**

**ECC Members Present**

Lynn Van Every, Idaho Department of Environmental Quality  
 Dave Teuscher, Idaho Department of Fish and Game  
 Marv Hoyt, Greater Yellowstone Coalition  
 Cary Myler, US Fish and Wildlife Service  
 Mark Stenberg, PacifiCorp  
 Paul Burnett, Trout Unlimited, by phone  
 Charlie Vincent, American Whitewater, by phone  
 Arn Berlund, Bureau of Land Management, by phone

**Others Present**

Greg Mladenka, Idaho Department of Environmental Quality  
 Tom Lucia, Sagebrush Steppe Regional Land Trust  
 Badge Blackett Project Manager, National Wildlife Refuge Association  
 Tracy Casselman, US Fish and Wildlife Service  
 Eve Davies, PacifiCorp, by telephone  
 Garry Ratzlaff, Sagebrush Steppe Regional Land Trust  
 Sally Averette, Sagebrush Steppe Regional Land Trust

| <b>Commitments Made at the April 18, 2012 Meeting</b>        |   |
|--|---|
| Stenberg   | <ul style="list-style-type: none"> <li>• Forward contact information for Bear River conservation area proposal representatives and time and locations for upcoming public meetings to the ECC.</li> <li>• Request FERC approval of the updated Land Management Plan.</li> <li>• Speak to Conder about the Bear River water bank and the Cover water right.</li> <li>• Investigate additional options for funding the new proposed Black Canyon cleanup project.</li> <li>• Submit screen tender project to PacifiCorp for internal approval.</li> <li>• Arrange conference call to rank additional habitat enhancement projects on May 9, 9 a.m.</li> <li>• <a href="#">Address comments to the MOA with SSLT.</a></li> </ul> |
| Teuscher   | <ul style="list-style-type: none"> <li>• <a href="#">Provide an update on IDFG's status on fish passage at Oneida</a></li> <li>• <a href="#">IDFG – Plan to survey Gentile for native fish</a></li> </ul>   |
| Grant Fund Subcommittee                                      | <ul style="list-style-type: none"> <li>• Meet via conference call May 9, 9 a.m., to rank additional 2012 habitat enhancement projects.</li> </ul>   |
| Stenberg, Teuscher, Vincent                                  | <ul style="list-style-type: none"> <li>• Submit project forms for consideration by the subcommittee prior to conference call. Stenberg (sand wand, Kackley Dike), Vincent (new Black Canyon cleanup project), Teuscher (Trout Creek)</li> </ul>   |
| Action items in <a href="#">blue</a> have been carried over. |   |

### **Decisions Made at This Meeting**

- Approve 2012 habitat enhancement projects as recommended by the grant fund subcommittee in the amount of \$179,759.00 (see Attachment 1).
- Approve the 2012 Agreement for Black Canyon Boater Flows: Extended Study Period and Adaptive Management.
- Approve the purchase and sale agreement and conservation easements on the Christensen property.

### **Decisions Made by Email Since the Last Meeting**

None

### **Items Added to the Day's Agenda**

- Hear information on US Fish and Wildlife Service's Bear River watershed conservation area proposal.
- Hear an update on Stauffer Creek from Cary Myler.
- Hear information on the new state water plan.

### **Recap and Review**

Notes from the February ECC meeting were approved without changes. Action items were reviewed; those carried over appear in blue in the list above.

### **Bear River Watershed Conservation Area Proposal**

Badge Blackett, National Wildlife Refuge Association (NWRA) and Tracy Casselman, US Fish and Wildlife Service (FWS), were introduced to the ECC to present information on a proposal by the FWS to create a conservation area on the Bear River watershed. Blackett said public meetings on the proposal are scheduled to take place in May, including one in Preston. He offered to add those interested to mailing list. ECC members may contact him via email at [bblackett@refugeassociation.org](mailto:bblackett@refugeassociation.org)

Blackett said the goal of the proposal is to protect wildlife by keeping important farms and ranches from being subdivided and to keep water on the land. Five million dollars has been proposed for the program's budget. He said there will be an environmental assessment of the proposal, hopefully approved by September, with the first easements hoped for by end of 2012. Lucia is also working with the group and noted that easements would be held by FWS in perpetuity. Casselman said the group's goal is to eventually have 920,000 acres under easement. Hoyt asked how the proponents see this effort dovetailing with the ECC. Blackett said the groups could work jointly and share information. Hoyt said protecting ranches doesn't necessarily equate to protecting wildlife. He said he doesn't think that

placing an easement on land for business as usual would really help wildlife. Casselman said the first goal is to keep development/subdividing from occurring. Once that is done, opportunities for partners or the ECC would be more attractive. The goal is to maintain open space as opposed to development, he said. Teuscher asked about the relationship between NWRA and FWS and what makes the Bear River unique in their view. Blackett said the NWRA is a private nonprofit under contract to FWS Region 6 to help implement and do public outreach on the conservation easement proposal. Casselman noted that there are a lot of things FWS cannot do as feds, so this group is helping with those things. Blackett said the Bear River has been nominated as an “America’s Great Outdoors Landscape” by Utah’s governor. Hoyt noted that Idaho’s governor has opposed the nomination in Idaho. Blackett said nevertheless, the project is high priority for FWS Region 6. Hoyt said he had heard that many western governors, including Idaho’s, are opposing the proposal because they view it as a land grab. Blackett said the conservation easements are a tool – right now FWS cannot buy an interest in land outside refuges – the proposal is only a tool to allow them to work with private landowners. Burnett asked for the name of the group’s Utah representative. Blackett said Joel Ferry of Corrine, Utah.

Public meetings will be held on May 17 & 18 in Preston and Montpelier, Idaho, respectively (6-8 p.m.) and on May 22 & 23 in Randolph and Logan, Utah, respectively.

Stenberg will forward the group’s contact and meeting information to the ECC. Lucia asked that if ECC members were aware of issues/objections to the program, please let Blackett or Casselman know so they can be addressed at the public meeting. Hoyt said he thought the program was pressed by lobbyists and that he questioned the seriousness of the conservation effort. Blackett said the easements were a first step, with more serious conservation efforts to follow.

## **Updates**

### **2011 Land Management Plan Update**

Stenberg said the Land Management Plan was submitted to FERC with the annual report but still needs FERC approval.

### **Bonneville Cutthroat Trout Stocking Efforts - IDFG**

Teuscher updated the ECC on IDFG’s BCT stocking efforts. A map of 2011 stocking locations and numbers of fish stocked was distributed. He said IDFG collected more eggs this year than last but have had some mortality, so there won’t be as many fish produced this year. About half the fish were lost early on, he said. IDFG will be experimenting with different food this year, letting fish gut development progress more before starting to feed. Teuscher noted that IDFG is producing first-generation broodstock, so the fish are more like wild fish. He said he believes this is a key to the success of the program – high survival. He reported that the program received a state fish hatchery award this year. He said he plans to stock approximately 2,000 fish at Grace and 4,000 at Black Canyon during 2012. About 500 fish will be released at Kackley Springs so as not to overstock this area. He said that IDFG will not stock some of the smaller tributaries until they have assessed the performance of fish stocked in 2011.

Teuscher reported that the telemetry study is up and going. Tagged fish are up and swimming in the river. The goal is to have telemetry-tagged hatchery fish in the river at about the first to middle of May. These fish will have their adipose fins clipped so they can be identified as hatchery fish. Myler asked what percentage of the fish will be pit tagged. Teuscher said that depends on whether the ECC approves funding for pit tags.

Teuscher said he would like to collect 40,000 eggs per year. If there is good survival, IDFG will release some younger fish. Stenberg asked how many rainbow trout are released in this same area. Teuscher said no more rainbow trout were being released at Grace or Black Canyon by IDFG. Stenberg asked whether IDFG planned to stock rainbow trout in any portion of the Thatcher reach. Teuscher said no, as it is not necessary. He said problems with fertile rainbow trout still existed in the Thatcher reach, including Williams Creek, where fertile wild fish are present, and the Kimball hatchery's unsanctioned stocking near Black Canyon. He said IDFG may need to assist Kimball with screening. He noted that there is a receiver right by the Kimball hatchery. Stenberg asked about managing the fishery by removing limits on rainbow trout. Teuscher said he thinks that no stocking of rainbow trout and solving the problem in Williams in the future will be all that is needed. Colburn asked how angling (hooking mortality) will figure into BCT mortality in the Black Canyon. Teuscher said the area is not high use like the Bear River near Oneida. He said he thinks anglers in the area are catch-and-release anglers, but yes, they will be catching more BCT. He said he believes that word of native BCT will be a draw, but doubts that numbers will be high enough to affect the population. There will be no harvest between January and June anyway, to protect spawning, he said. Cutthroat are catch and release, Teuscher said, and hooking mortality is typically low. Stenberg said it was a huge milestone that rainbow trout were not being stocked in this area.

### **Project Updates**

Myler reported that he had visited the 2012 **Stauffer Creek** site with Adam Sepulveda. He said the project was on a good reach, with willows present but heavily grazed. He said he thinks it will be an important area to protect, and he strongly supports the project. As part of the project, the area will be fenced and Sepulveda will put in two controls and one sand wand reach. Myler said he talked to the landowner about the lack of a setback on the last fencing project. He noted that the range manager on the property is very good to work with, and would have set back the fence. Myler said the landowner has expressed willingness to set back the new fence. They are discussing a 20-foot set back on each side. Myler, Van Every and Teuscher agreed that would be a good setback distance. Myler said he thinks willow will come right back within a year.

Burnett reported on the **Davis and Treasureton Screens on Cottonwood Creek** – Field reconnaissance is complete and he expects design within a month or so. He will present designs at the June meeting if they are complete.

### **State Water Plan**

Teuscher said a new state water plan is set to be adopted in May. A water bank for the Bear River is listed in the plan as something that has already happened and is a tool. Van Every asked if the plan was currently out for comment. Teuscher said yes. He said he has spoken with Water Resources, and Bear River water cannot be banked as yet. Stenberg said he would talk to Conder about the Cove water right in light of this news. Teuscher said he is encouraged that it is being considered—we can let them know we are interested. It was noted that Roger Chase from the state Water Board will be at the June meeting to discuss water rights.

### **Gibson - Black Canyon Cleanup Project - Vincent**

This project has been proposed for 2012 habitat enhancement funding. Vincent said he was contacted by the proponent, who has already been doing cleanup in the canyon. The area proposed for ECC funding is below Turner Bridge. Stenberg said the proponent said he has removed about 104,000 tons of material already. He was funding removal by selling the material for scrap. Now materials are spread out more and it is harder to make ends meet. He has some other strategies (i.e., people donate their tire

disposal credits, etc.). The proponent thinks it will cost about \$1,000/day to accomplish. Stenberg said the proponent wants to clean up the area, as well as make a little money.

Stenberg said he has been considering holding a grant fund subcommittee meeting in May to rank some additional projects including Black Canyon cleanup, Kackley Dike, Trout Creek, and sand wand. Teuscher and Hoyt expressed support for the clean-up project. Stenberg requested a short form – ECC members said they would support ranking the project. Mladenka suggested that Stenberg coordinate with the county on the project. Vincent asked whether there were any other ideas about funding. Stenberg said he will investigate some possibilities.

### **2012 Habitat Enhancement Project Approval**

Stenberg presented the grant fund subcommittee’s recommendations for 2012 habitat enhancement projects (see Attachment 1). Projects were reviewed and ranked at a March 21 Grant Fund Subcommittee meeting at IDEQ offices in Pocatello attended by Van Every (IDEQ), Teuscher (IDFG), Burnett (TU), Myler (USFWS), and Stenberg and Davies (PacifiCorp).

ECC members approved the subcommittee’s recommendations by consensus. PacifiCorp must approve funding for the screen tender as it is an out-of-action-area project.

Teuscher noted that he has some maintenance needs on existing fish screens and asked whether it was OK to use maintenance funds for that purpose. Stenberg said yes, but he would need an invoice.

### **Agreement for Black Canyon Boater Flows: Extended Study Period and Adaptive Management**

The ECC reviewed final edits to the boater flow agreement fishery study plan. Mladenka asked how IDFG would determine BCT spawning redds. Teuscher said telemetry will be used. If we never see a mature BCT in the area, we will rule it out, he said. He said IDFG can visit and make a determination if BCT are present and the possibility exists. It was noted that site 17 includes a potential spawning area. IDEQ and IDFG will visit this area prior to boater flows.

Hoyt left the meeting at noon, passing his proxy to Teuscher.

Consensus was reached to support the 2012 Agreement for Black Canyon Boater Flows: Extended Study Period and Adaptive Management.

### **Next Agenda**

Oneida Fish Passage discussion was tabled until the next meeting.

The grant fund subcommittee agreed to rank proposals by conference call May 9, 9 a.m.

**Attachment 1:**

**2012 Habitat Enhancement Projects**

**Bear River ECC  
2012 Habitat Enhancement Project Proposals  
April 18, 2012**

| <b>Project</b>   | <b>Description</b>   | <b>Location</b>                        | <b>ECC Sponsor</b> | <b>Total Amount</b> | <b>Amount Requested</b> |
|--|--|--|--------------------|---------------------|-------------------------|
| Cottonwood Creek Fish Screens                            | Fabricate and install rotary drum fish screens for Davis and Treasureton diversions on upper Cottonwood Creek                                    | Upper Cottonwood Creek                 | Burnett            | \$168,000           | \$39,000                |
| Fish Screen Tender                                       | Maintain and adjust tributary fish screens during summer of 2012   | Action Area                            | Teuscher           | \$30,000            | \$12,000                |
| Gentile Valley Canal Entrainment Study                   | Use PIT tagging to determine BCT entrainment loss into Gentile Valley canal and if screening is necessary to reestablish BCT in the Black Canyon | Black Canyon reach of the Bear River   | Teuscher           | \$16,500            | \$8,200                 |
| Hansen Fencing   | Install fencing along the Bear River to create a minimum 35-ft buffer  | Bear River – Thatcher                  | Stenberg           | \$29,000            | \$29,000                |
| Harris Spring Restoration and Repair                     | Repair and enhance a previous ECC-funded project   | Adjacent to Bear River at Cove         | Teuscher           | \$8,500             | \$7,500                 |
| Ovid Creek Corral Relocation                             | Relocate corrals, install containment ponds and berms, fence off creek, and install stock watering system  | Ovid Creek drainage                    | Stenberg           | \$288,000           | \$34,000                |
| Sediment Removal on Spring, Stauffer and Whiskey creeks  | Remove fine sediments from BCT spawning and rearing habitat sections in these streams using sand wand.   | Stauffer Creek drainage                | Teuscher           | \$5,059             | \$5,059                 |
| Smith Bear River Fencing and Alternate Water Source      | Fence Bear River, create a 35-foot buffer, install an alternate water source   | Bear River mainstem near Hwy 34 bridge | Stenberg           | \$38,000            | \$5,000                 |
| Stauffer and Spring Creek Fencing                        | Install fencing, cattle crossings and bottomless culverts on Spring Creek, replace fencing destroyed by high water on Stauffer Creek.            | Stauffer Creek drainage                | Myler              | \$55,842            | \$20,000                |
| Maintenance Hold Back                                    |  |  |                    |                     | \$20,000                |
| <b>TOTAL</b>   |  |  |                    |                     | <b>\$179,759.00</b>     |
| *Amount approved less than amount requested by applicant |  |  |                    |                     |                         |