

**Bear River ECC  
Final Meeting Notes  
Grace, Idaho  
June 20, 2012**

**ECC Members Present**

Mark Stenberg, PacifiCorp  
 Lynn Van Every, Idaho Dept. of Environmental Quality  
 David Teuscher, Idaho Dept. of Fish and Game  
 Cary Myler, U.S. Fish and Wildlife Service  
 Paul Burnett, Trout Unlimited  
 Arn Berglund, Bureau of Land Management  
 Corey Lyman, U.S. Forest Service  
 Marv Hoyt, Greater Yellowstone Coalition  
 Charlie Vincent, American Whitewater

**Others Present**

Eve Davies, PacifiCorp  
 Claudia Conder, PacifiCorp  
 Andrea Santarsiere, Greater Yellowstone Coalition  
 Joselin Matkins, Sagebrush Steppe Regional Land Trust  
 Sally Averette, Sagebrush Steppe Regional Land Trust  
 Troy Stout, PacifiCorp (introduction)  
 Roger Chase, Idaho Water Resource Board (afternoon)  
 Garry Ratzlaff, Sagebrush Steppe Regional Land Trust (afternoon)

**Irrigators Present** (for boater flow discussion, first hour of meeting)

Dan and Donna Forsgren, Thatcher Irrigation  
 Dick Andersen, Thatcher Irrigation  
 Douglas L. Porter, Last Chance, Gentile Valley and Thatcher  
 Laurie Harris, Gentile Valley Irrigation  
 Craig Wilkes, Gentile Valley Irrigation  
 Blair Mathews, Thatcher Irrigation, Bear River Small Irrigators  
 Marc Gibbs, Last Chance Canal  
 Wayne Cutler, Gentile Valley Irrigation  
 Janet Wheeler, Bear River Small Irrigators  
 Carl Jorgensen, Gentile Valley

<b>Commitments Made at the June 20, 2012 Meeting</b>	
Stenberg	<ul style="list-style-type: none"> <li>• Send draft terms and conditions for the Davis/Cottonwood easement to the ECC.</li> <li>• Prepare project form for a potential conservation easement above Alexander Reservoir. Circulate to the ECC.</li> <li>• Circulate final MOA to the ECC for review and approval at July meeting.</li> <li>• <a href="#">Request FERC approval of the updated Land Management Plan.</a></li> <li>• <a href="#">Speak to Conder about the Bear River water bank and the Cove water right.</a></li> <li>• <a href="#">Investigate additional options for funding the new proposed Black Canyon cleanup project.</a></li> <li>• <a href="#">Submit screen tender project to PacifiCorp for internal approval.</a></li> </ul>

Commitments Made at the June 20, 2012 Meeting	
	<ul style="list-style-type: none"> <li>• Address comments to the MOA with SSLT.</li> </ul>
Teuscher	<ul style="list-style-type: none"> <li>• Provide an update on IDFG's status on fish passage at Oneida</li> </ul>
Action items in blue have been carried over.	

**Email Decisions Made Since the Last ECC Meeting**

- Approve April 2012 draft meeting notes (see Attachment 1)

**Decisions Made at This Meeting**

- Approve draft notes from the Grant Fund subcommittee's May 9 conference call.
- Approve two habitat enhancement projects recommended by the Grant Fund subcommittee—Gibson/Black Canyon Cleanup (\$10,000) and Kackley Dike (\$12,000).

**Agenda Review**

Boater flow concerns from irrigation company representatives were added to the day's agenda. Discussion of fish passage at Oneida Dam was tabled until fall.

**Whitewater Boater Flow Concerns**

Overall irrigation company concerns with boater flows included dry year water release (not best use), impacts to geese/ waterfowl, bank erosion, and debris in gates/delivery system.

Stenberg began by providing project history and opportunities that were available to be involved as interveners in the relicensing process. He explained that parties to the Settlement Agreement got involved and negotiated the 2002 Settlement Agreement with PacifiCorp, which included the boater recreation program. He provided an overview of original boater flow program (three-year initial study prior to releases, seasonal limits, flow-dependent, greater than 700 cfs, up to 16 events per year). Since then, he said, a ramp rate study and a fish stranding study have been completed. Meanwhile, forecasted flow provision proved difficult, and staff and operator time to deal with them made forecasted flows tough. PacifiCorp looked at the ability to balance reservoir flows/elevations between Soda and Oneida and use reservoir balance/timing ability to allow for flows without releasing irrigation water. For the company, with outages, maintenance, overtime, etc., it is much better to schedule the flows. The studies and limitations of forecasted flows led to the current (2012) boater flow program, with a shorter seasonal time span and scheduled flows for each event (three two-day events and one three-day event)

The canal companies said their concern isn't about the water releases per se, but especially the timing of the flows occurring during the irrigation season, and issues with wildlife, bank erosion and habitat. They said irrigation season begins April 1 or 15, but they do not usually take water prior to April 20. They said they had to shut down canals completely during the first whitewater flows each year because the trash and sediment coming down is completely unmanageable.

Stenberg said sedimentation was expected with last year's flows, especially the first boater flow. He asked irrigators how it looked this year. They said no change this year, and the first flow is always the worst. But they still get sediment with boater flows, even during the last flows of the year.

Stenberg asked for more information on goose/waterfowl nesting problems observed. Irrigators said it appeared that geese had nested low this year due to lower natural flows and then nests were washed away during boater flows with the sudden rise in river level. Stenberg asked for locations. Some were on McGregor's land, at Cove, and at Centennial Bridge.

One irrigation company representative asked how the sediment was affecting fish in the river. Stenberg described the Black Canyon monitoring study, explained how the boater flow program was developed, and described ongoing extended monitoring studies. He then gave Van Every and Teuscher an opportunity to reply.

Teuscher said there had been a three-year study, but there is still not enough data to say whether there could be significant impact to Bonneville cutthroat trout (BCT) recovery. He said a BCT hatchery has been developed and fish are now ready to stock. He said he feels there is still not enough information on the effect of the boater flow program on BCT recovery, so IDFG is studying radiotagged BCT that are now being released. He thanked the irrigation company for their cooperation and access to the irrigation canal system to install PIT tag arrays. Teuscher noted that this will be a 3-year study. He said the ECC has delayed making a recommendation to FERC until this study is complete. He also discussed changes made to the boater flow schedule last winter. He said no monitoring program is in place for waterfowl. He said he feels bad about that, as he believes there are effects that are not being addressed. IDFG will also undertake population monitoring for BCT, in addition to radiotagging.

Hoyt noted that the outlet elevation at Grace dam has also changed. Teuscher explained that the new valve is 30 feet down and adds cooler water downstream. Irrigators asked whether that is adding to sedimentation in the river. Teuscher said we have not gotten into use of it yet. It was asked whether there will be water quality monitoring. Van Every said it is not expected to increase sedimentation. Davies noted Connely Baldwin's [PacifiCorp hydrologist] modifications to the releases. Stenberg explained the "pillow and hole" effect and steps that were taken to avoid it. Vincent said that was implemented to help address concerns about waterfowl nesting. The irrigation companies asked about absence of trout and backpack versus boat electrofishing sampling methods. Teuscher said much longer reaches will be sampled during upcoming studies, and trout will be caught if they persist in the canyon at all. Van Every said he wanted to address sediment and debris hitting headgates during whitewater flows while the companies are trying to establish flows. He said this has been a concern of IDEQ's and he would like to address it as a program. He noted that whitewater flows are being introduced into an area of long-standing low flow. He noted that operations (the manner in which flows are released) are being changed to lessen impacts. He said he would like to find a way to lessen impacts, which may be coordination with irrigators. He said the flushing flows need to happen for the benefit of the ecology of the system—it would happen anyway in a natural system. IDEQ wants to minimize impacts while helping the health of the ecosystem. Irrigators asked where the sampling locations were. One irrigator said he has a pump near Franklin, and sees lots of sediment that far down.

McGregor said he has heard second-hand that some kayakers are portaging around certain areas because whitewater flows are so high. He asked whether flows could be lowered, making medium-skilled kayakers happy, while lowering sedimentation. Vincent said the level was set based on study and

800 cfs seemed to be the minimum. Another irrigator asked whether flows could be moved to earlier in the year, i.e., change the timing to miss irrigation season.

Teuscher and Stenberg gave out business cards and encouraged irrigators to contact them with concerns. One irrigation company representative said he understood that there is a lot of history to whitewater boater flows but there is also a lot of history to their water rights. Van Every said he appreciated that and said he would like to see discussions continue. Stenberg asked that irrigation company representatives leave their email addresses. He said he appreciated hearing what they are seeing and experiencing.

### **Review and Approval of Previous Meeting Notes**

April meeting notes were approved via email prior to this meeting (see Attachment 1).

### **Approval of Additional 2012 Habitat Enhancement Projects**

Stenberg reviewed the May 9 grant fund subcommittee conference call notes with the ECC. He said the subcommittee had considered three additional habitat enhancement projects, including a new project on Trout Creek. This project included an NRCS design and a higher-cost design. The subcommittee was not sure which design was being proposed and was therefore not able to rank it.

Stenberg said the subcommittee had ranked and recommended two additional projects: Gibson/Black Canyon cleanup (\$10,000) and Kackley Springs dike (\$12,000). He described the projects and asked for consensus to approve them, as well as the draft conference call notes. Consensus was reached.

### **Project Updates**

The Cottonwood Creek fish screen project is the only habitat enhancement project currently in process. Sponsor Burnett said the project is moving forward.

### **Outside Grant Management**

Stenberg said this pertains to ECC habitat enhancement projects that also receive USFWS Partners Program funding, including one of this year's habitat enhancement projects on Stauffer Creek. He told the ECC there will be credits/debits in habitat enhancement fund accounts involving USFWS, Sagebrush Steppe Regional Land Trust and PacifiCorp. He asked whether the ECC wants to hear about each one individually or review them as a summary. No issues were raised and the ECC agreed to review project summaries. Myler noted that the change would help reduce paperwork.

### **Land Trust Updates**

<closed session>

### **Introduction: Troy Stout**

Stenberg introduced Troy Stout to the ECC. He is PacifiCorp's new production manager for the state of Idaho, replacing Kelly Holt.

## **Roger Chase, Idaho Water Resource Board**

Roger Chase of the Idaho Water Resource Board spoke to the ECC about water rights and water banking in Idaho. He said the Water Resource Board is currently facing several challenges, including that more water has been given out than is actually available and the department is dealing with staff cuts and has recently been asked to cut 20 percent more.

He said the department is trying to get around to all the basins and identify specific needs. One strategy being used to reduce consumption of water is to buy out hatcheries in southern Idaho.

He said water banking is being used for salmon recovery in the Salmon River and allows water to stay in streams that were previously dewatered. Chase was asked whether a water bank was set up in this area. He said he did not think so, and in order to form one, a group must petition the water board. Chase noted that the state water plan is being revised now. Hearings are underway. He said he believes that the reason there is no water bank in this region is the difficulty of working with the three states involved (Wyoming, Idaho and Utah).

Teuscher said he would support both a water rental pool and a water bank.

Chase noted that cities and municipalities can hold a water right forever, as opposed to others who must use it within 5 years. Hoyt said that either mechanism would require the support of agriculture, if they are opposed it will not happen.

Chase took questions from the ECC. Members asked questions about how best to proceed with development of a water bank on the Bear River. Chase said to contact department staff, but understand they are very busy.

Conder suggested reviewing previous ECC discussions with Jody Williams regarding water banking.

Ratzlaff asked what timeframe might be required. Chase said he believed 3-4 months, and the proposal would go to the director, not the water board.

ECC members enquired about Twin Lakes Canal Company's proposed dam on the Bear River Narrows. He said they are behind schedule.

## **Next Agenda**

Due to scheduling conflicts in August, the ECC agreed to hold its next meeting Wednesday, July 25, 9-noon in Pocatello. Agenda items include terms and conditions for potential conservation easements on Cottonwood and Eightmile creeks; MOA approval; and project updates.

**Bear River ECC**  
**Record of Email Voting**  
**Approval of Draft April 2012 Meeting Notes**  
**May 3, 2012**

**Date:** Thu, 03 May 2012 15:16:09 -0600 [05/03/2012 03:16:09 PM MDT]  
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**Subject:** Bear River ECC - Request for Approval of April Meeting Notes  
**Part(s):**  [2](#) Bear River ECC - Draft Meeting Notes 4-18-12.doc [application/msword] 74 KB   
 [3](#) Bear River ECC - Draft Land Trust Updates 4-18-12.doc [application/msword] 29 KB 

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ECC Members and Alternates,

At our April meeting, the ECC approved habitat enhancement projects for 2012. Some of the projects are set to kick off with the onset of good weather. However, approved notes from the meeting are needed to move the projects forward. Since the ECC is not meeting in May, we are seeking approval of the notes by email.

Draft notes are attached for your review. You may send any editorial comments directly to me. If you have comments that require further discussion, please let me or Mark Stenberg know.

If you are in favor of approving the notes, please acknowledge by return email at your earliest convenience.

Thanks in advance,

Miriam Hugentobler  
Bear River ECC

**Results of ECC Member Voting  
 Email Approval of April 18, 2012 Meeting Notes  
 Email Query by Hugentobler  
 May 3, 2012**

<b>Vote</b>	<b>Name</b>	<b>Organization</b>
yes	Lyman	USFS
yes	Burnett	Trout Unlimited
yes	Van Every	IDEQ
	Lewis	Idaho Rivers United
	Just	Idaho Parks and Rec
yes	Teuscher	Idaho Fish and Game
yes	Berglund	BLM
	Osborne	Sho-Bans
	Rosebrough	National Park Service
yes	Vincent	American Whitewater
yes	Hoyt	Greater Yellowstone
yes	Stenberg	PacifiCorp
yes	Myler	USFWS