

**Bear River ECC
Final Meeting Notes
September 19, 2012
Pocatello, Idaho**

ECC Members Present

Mark Stenberg, PacifiCorp
 Paul Burnett, Trout Unlimited, by phone
 Jim DeRito, Trout Unlimited
 Cary Myler, US Fish and Wildlife Service
 Lynn Van Every, Idaho Department of Environmental Quality
 David Teuscher, Idaho Department of Fish and Game
 Marv Hoyt, Greater Yellowstone Coalition

Others Present

Eve Davies, PacifiCorp
 Andrea Santarsiere, Greater Yellowstone Coalition
 Joselin Matkins, Sagebrush Steppe Land Trust
 Sally Averette, Sagebrush Steppe Land Trust
 Gerry Ratzlaff, Sagebrush Steppe Land Trust
 Tom Lucia, Sagebrush Steppe Land Trust

Commitments Made at the September 19, 2012 Meeting	
Stenberg	<ul style="list-style-type: none"> • Consider setting up regular maintenance and repair funding for screen tender. • Consider installing informational signs regarding BCT at Kackley Springs/closing the area to fishing. Coordinate with IDFG and SSLT. • Review conservation hatchery fund status with Teuscher. • Check language in section C.1 of the ECC’s Ground Rules against Settlement Agreement. Finalize ECC Ground Rules and route to the ECC. • Draft memo to 2012 Trout Creek project proponent detailing award, route to subcommittee for comment. • Route updated Operations and Compliance Plan to ECC members for approval • Request FERC approval of the updated Land Management Plan. • Invite Conder to discuss Bear River water banking.
DeRito	<ul style="list-style-type: none"> • Detail all funding approved for Cottonwood fish screens, what it will be used for, and estimate amount needed to complete the project. Detail the two options discussed. Forward to Stenberg. Need project proposal to route to subcommittee.
Davies	<ul style="list-style-type: none"> • Forward project monitoring forms to Teuscher
Teuscher	<ul style="list-style-type: none"> • Coordinate with Davies on photos and monitoring forms for ECC projects • Speak to IDFG director about possible emergency BCT fishing closure. • Review conservation hatchery fund status with Stenberg.
Hugentobler	<ul style="list-style-type: none"> • Route query annually to “interested parties” to ensure they would like to stay on the ECC’s distribution list.
All	<ul style="list-style-type: none"> • Discuss fish passage at Oneida in the fall.
Action items in blue have been carried over.	

Review of Previous Meeting Notes

July meeting notes were approved without changes. August subcommittee conference call notes were approved with edits from Teuscher.

Email Decisions Made Since the Last Meeting

- Reaffirm funding for riparian fencing on Christensen easement (see record of email voting, Attachment 1).

Project Updates

Bear River Sediment Removal – Project is underway. Sepulveda has recently been in the field.

Bonneville Cutthroat Trout Monitoring – No Forest Service representative was present to provide an update, but Teuscher and DeRito noted they had seen Forest Service crews sampling during field season.

Tingey – One of the large structures is being removed now. Also, proponent has secured additional funding and this is now a larger project.

Cottonwood Fish Screens – ECC funding for this project is at \$54,000 total from two habitat enhancement project grants – \$15,000 (2011, design) and \$39,000 (2012, implementation). DeRito discussed other funding sources. He said the engineering consultant was nearing final design for the screens, with options to meet greater approach velocity. Construction cost for the high approach velocity option is estimated at \$240,000, versus \$180,000 to \$185,000 for lower velocity. Thus, project funding is estimated to be at least \$35,000 short for construction. The project has turned out to be more complex than originally thought, DeRito said. Installation is still planned for this fall, after irrigation season. Stenberg said there are still some unallocated habitat enhancement funds remaining. A project proposal form would be needed for the subcommittee to consider approving additional funding. DeRito said final design was near completion. Myler requested more firm figures for implementation funding.

Screen Tender – Teuscher reported that the screen tender is still actively working. He said that the budget will be overspent this year because some work was absolutely needed on screens. Stenberg noted there is still money in ECC's maintenance fund. Teuscher suggested that the ECC just set aside funding for maintenance each year, because it will be needed as structures are aging. Stenberg suggested setting up a vendor amount for approximately \$5,000 annually. Burnett said work may also be needed on the Cub River screen's paddle wheel. Installation of a shear bolt on the paddle wheel would help to avoid damage, he said. Also, a new gauge is needed for the irrigation company and would help to slow velocities. Teuscher said that if this (spin off, paddlewheel) is a problem now, with the low runoff this year, it needs to be addressed as it won't get better. Stenberg suggested approving needed maintenance during project subcommittee annual review and ranking. He said the process of getting

emergency repairs done could be made easier by setting up repair workers as vendors in the PacifiCorp system. He said he will give this further consideration.

Gentile Fish Entrainment Study – Teuscher said that not a single pit tagged fish has been entrained during this study, which was an unexpected result. He noted that IDFG has picked up fish moving through with telemetry. The study will be repeated next year, he said. DeRito asked how many fish were pit tagged. Teuscher said 300 fish. Van Every suggested spreading the fish out more next year. Teuscher said IDFG will probably do that. He noted that IDFG did have telemetry fish released near the dam that moved downstream of the Gentile Canal. He also reported that one of the fish beat the fish barrier and upstream monitoring trap at Kackley Springs. Myler asked if it was possible that a fisherman had moved the fish. Teuscher said Hillyard had surveyed the lower area found some nice, large BCT, while just above the structure he found some possible hybridized young (year-old fish), so there potentially may be some rainbow trout in the system. It was noted that rainbow trout had been jumping at the barrier, so maybe fishermen had helped them up over the barrier. It was also noted that brown trout are now backing up at barrier. Davies suggested installing signage to inform anglers of pure BCT in the system. Santarsiere asked if a bird could have dropped a fish in. Hoyt suggested closing the area to fishing. Stenberg noted that the land trust could do it, as they manage the parcel. Teuscher said it is too late to change fishing rules but this issue may be considered for an emergency closure. He said he will give this more thought and possibly talk to his director. Stenberg said he could make a sign right away. Teuscher said he believes closing the area to fishing may be the best solution.

BCT Production and Spawning – Teuscher said there are now miles of repopulated streams with BCT from the first release that occurred last spring. Densmore Creek was among the streams stocked with BCT, which have not been in that stream since the 1980s.

Teuscher reported that IDFG is raising 20,000 fish that resulted from this spring spawning events. Survival has been good, and it appears that the mortality issue from feeding last year has been resolved. Stenberg said he and Teuscher will review conservation hatchery fund status.

Hansen Fencing – Stenberg said Smith had been having trouble getting information from this landowner.

Ovid Creek – Stenberg said funds for this project have been distributed and work is underway.

Stauffer and Spring Creek – Van Every said he heard there has not been a lot of linear progress day by day with the sand wand on this project. There is a lot of sediment, so it is slow going. Also, the fencing will not go in this year. Myler said he and Stenberg will work with Bushman to ensure that the fencing goes in early in the year next year. They will also work to set fencing back in some areas. Myler noted that the landowner has been very good to work with.

Smith Fencing – Stenberg said work on this project has not started.

Kackley Dike – Stenberg reported that this project is now complete. The pond has been raised, he said, and is now as high as it has ever been. Stenberg said future plans include reseeding the area and placing boulders to restrict vehicles. There has been some cattle trespass on the Cove parcel, but the area should rebound next year. Stenberg suggested working with landowners to solve this problem.

Harris Repair – This project is complete.

Gibson/Black Canyon Cleanup – This project is currently underway, Stenberg said.

ECC Ground Rules

Proposed edits to the ECC’s ground rules from PacifiCorp legal review were routed to ECC prior to the meeting and reviewed via overhead at the meeting. Santarsiere asked about defining “interested parties.” Van Every suggested routing a query annually to interested parties to affirm whether they would like to stay on the list. Stenberg said he would like to compare the language in section C.1 to the Settlement Agreement. He will then finalize and route.

<Adjourned to Closed Session for Land Trust Updates>

Habitat Enhancement Project Funding Subcommittee

2012 Trout Creek Project Proposal

Stenberg reviewed an email from NRCS District Conservationist Larry Mickelsen that clarified the project budget. He then reviewed an estimate for a 25 percent match for work on the lower reach also provided by Mickelsen via email. The 25 percent match was estimated at \$29,054.

From Mickelson email:

We have 500 feet of new channel planned in the lower (straighter) stretch:

- *Streambank Protection (Rock Work): 500 ft X \$108.00/ft = \$54,000 X 25% = \$13,500*
- *Channel Stabilization (Meanders): 500 ft X \$82.10/ft = \$41,050 X 25% = \$10,262*
- *Vegetative Plantings: 1700 ft X 2 sides X 4.10/ft = \$13,940 X 25%=\$4,485*
- *Fence: 1700 ft X 1.90 = \$3,230 X 25% = \$807*

Using this information ECC would pay for \$29,054

Stenberg asked about permitting for the project. Van Every said the water resources permit came through today. The Corps of Engineers has not yet issued a permit.

Van Every pointed out that rock work was included in the estimate and permit, contrary to the ECC's Streambank Stabilization Policy.

Teuscher said he has met with his commissioner about the project. He said he compared the cost of this project to other similar projects and found that \$24 per foot was about average. At 550 feet, this would be about \$12,000. The group reviewed estimates for rock work and meanders. There was agreement that the numbers looked high. The group discussed work previously done on Trout Creek. Teuscher said he was concerned that if the proponent goes beyond what is stated in the plan, velocities would fill in the stream and cattails would take hold.

Stenberg suggested paying a 25 percent match on the items discussed based on documented expenses. For instance, once the NRCS practice amount is exhausted the ECC match would then be paid on the remaining balance up to 25 percent of the total cost for that item. Davies said she agreed, as we have to be prudent with our money.

PacifiCorp also offered free rock as the ECC's match on the rock portion of the project and to provide the project proponent a copy of the ECC's Streambank Stabilization Policy.

Stenberg will draft a memo to the proponent and route it for comment. Davies suggested including some scenarios as examples.

Stenberg asked for consensus on the following proposal:

- Provide up to 25% matching funds for the project, based on documented expenses above the amount paid by NRCS for that practice. Maximum exposure estimated at \$15,554, with donated rocks. Consensus was reached.
 - 1) Streambank Protection (Rock Work): 500 ft X \$108.00/ft = \$54,000;
ECC match to be provided by PacifiCorp-donated rocks at Grace.
 - 2) Channel Stabilization (Meanders): 500 ft X \$82.10/ft = \$41,050 X 25% = \$10,262
 - 3) Vegetative Plantings: 1700 ft X 2 sides X 4.10/ft = \$13,940 X 25% = \$4,485
 - 4) Fence: 1700 ft X 1.90 = \$3,230 X 25% = \$807

Using this information ECC would pay up to \$15,554 in funds from the habitat enhancement funds.

Operations and Compliance Plan

Stenberg informed the ECC that he and Connelly Baldwin are nearing completion of an updated Operations and Compliance Plan. It will require the ECC's approval and submittal to FERC. The plan should be routed in a couple of weeks, he said, with estimated filing in December. This will be what the new production manager will use.

Next ECC Meeting

Next ECC meeting will take place November 14 in Pocatello.

Attachment 1: Record of Email Voting to Reaffirm Funding to Fence Christensen Easement

**Bear River ECC
Record of Email Voting
Reaffirmation of Funding for Riparian Fencing on Christensen Conservation Easement
Query by Stenberg, August 1, 2012**

Date: Wed, 1 Aug 2012 06:43:46 -0700 [08/01/2012 07:43:46 AM MDT]

From: "Stenberg, Mark" <Mark.Stenberg@PacifiCorp.com>

To: [Andrea Santarsiere <asantarsiere@greateryellowstone.org>](mailto:asantarsiere@greateryellowstone.org), [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), ["Lee W. Mabey \(lmabey@fs.fed.us\)" <lmabey@fs.fed.us>](mailto:lmabey@fs.fed.us), [Lynn Van Every <Lynn.Vanevery@deg.idaho.gov>](mailto:Lynn.Vanevery@deg.idaho.gov), [Marv Hoyt <mhoyt@greateryellowstone.org>](mailto:mhoyt@greateryellowstone.org), [Miriam Hugentobler <yazoo@xmission.com>](mailto:yazoo@xmission.com), [Paul Burnett <pburnett@tu.org>](mailto:pburnett@tu.org), ["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 \(aberglund@blm.gov\)" <aberglund@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@deg.idaho.gov>](mailto:Greg.Mladenka@deg.idaho.gov), ["Kevin Colburn" <kcolumb@amwhitewater.org>](mailto:kcolumb@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@sagebrushlandtrust.org>

Subject: Funding of riparian fencing on Christensen Conservation Easements **Part(s):**



2 Detailed Christensen Budget
3.30.2012.xlsx

[application/vnd.openxmlformats-officedocument.spreadsheetml.sheet]

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Good Morning ECC Members,

As you are likely aware Sagebrush Steppe Regional Land Trust has closed on the Christensen conservation easements on Mink Creek. Joselin is moving forward with installation of the riparian protection fencing. We talked as a group during meetings about paying for the fencing from our original easement budget of \$290k. The \$26k for fencing is accounted for in the attached budget update from Joselin from March of this year. Miriam helped me to review the notes and we don't see an official vote on the use of these funds for the fencing. I think we had consensus each time we discussed but we didn't make that clear as an approval in meeting notes. At the end of this email is a summary of the conversations about paying for the fencing. For the purpose of good records will you please reply to this email with your reaffirmation of this expense from the Land and Water Conservation Fund so we have clear documentation. Thanks. Mark Stenberg

April 28, 2010

Award land and water acquisition funding in the amount of \$290,000 to place conservation easements on the Christensen parcels in Mink Creek. As a condition, the proponent must include an easement on the entire length of Mink Creek, with minimum width to average 100 feet each side from stream bank. ECC will assist in funding approved agricultural best management practices through available habitat enhancement funds.

June 16, 2010

ECC agrees to offer to pay half the cost of fencing.

October 20, 2010

Matkins recommends that the ECC expedite riparian fencing on the parcel by providing funding for the fencing right away.

Results of ECC Member Voting
Reaffirm Funding of Riparian Fencing on Christensen Conservation Easement
Email Query by Stenberg
August 1, 2012

Vote	Name	Organization
yes	Lyman	USFS
yes	Burnett	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
	Rosebrough	National Park Service
yes	Vincent	American Whitewater
yes	Santarsiere	Greater Yellowstone
yes	Stenberg	PacifiCorp
yes	Myler	USFWS