

**Bear River ECC
Final Meeting Notes
November 14, 2012
Pocatello, ID**

ECC Representatives Present

Mark Stenberg, PacifiCorp
Lynn Van Every, Idaho Department of Environmental Quality
Jim DeRito, Trout Unlimited
Cary Myler, US Fish and Wildlife Service
Marv Hoyt, Greater Yellowstone Coalition
Arn Berglund, Bureau of Land Management

Others Present

Eve Davies, PacifiCorp
Andrea Santarsiere, Greater Yellowstone Coalition

Land Trust Updates portion

Joselin Matkins, Sagebrush Steppe Land Trust (SSLT)
Kent Werlin, Biota
Ryan Colyer, Biota
Randy Budge, attorney for Harris family
Valery Robertson, SSLT
Sally Averette, SSLT
Garry Ratzlaff, SSLT

Commitments Made at the November 14, 2012 Meeting	
Stenberg	<ul style="list-style-type: none"> • Post the updated ECC ground rules to the web site. • Call an email vote on the Kackley seeding proposal. • 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.
Matkins	<ul style="list-style-type: none"> • Schedule a conference call with Biota and the ECC. Tentative date 11/27.
Davies	<ul style="list-style-type: none"> • Provide the ECC's aerial photography of the Bear River to Biota.
Teuscher	<ul style="list-style-type: none"> • Consider installing informational signs regarding BCT at Kackley Springs/closing the area to fishing. Coordinate with IDFG and SSLT. • Coordinate with Davies on photos and monitoring forms for ECC projects • Speak to IDFG director about possible emergency BCT fishing closure.
Hugentobler	<ul style="list-style-type: none"> • Route schedule of public meetings for the Bear River Watershed Conservation Area provided by Myler. • Draft calendar for grant fund review. Route to the ECC for approval. • 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"> • Share photos for the annual report. Forward to Hugentobler. • Discuss fish passage at Oneida this winter.
Action items in blue have been carried over.	

Decisions Made at This Meeting

- Endorse changes to the ECC's Ground Rules to clarify "duly noticed" meetings.
- Approve continued support of the proposed Davis/Cottonwood Creek conservation easement.
- Approve \$8,000 in additional funding for a high-level assessment of the Bear River on the Harris/8-Mile Creek property.
- Approve payment of monitoring and management fees to Sagebrush Steppe Land Trust in the amount of \$12,500.

Decisions Made via Email Since the Last ECC Meeting

- Approve selection of consultant Biota to prepare a riparian improvement plan on the proposed Harris/8-Mile Creek conservation easement and support the use of Multiple Indicator Monitoring (MIM) (see Attachment 1, record of voting).

Items Added to the Agenda

- Update on Twin Lakes, future direction - Stenberg
- Bear Lake Water Year 2012 Operations - Stenberg
- Information on BAG (Basin Advisory Group) presentation by IDEQ – Stenberg, if time allows
- Refuge Easement Program Update - Myler
- Ranking of Kackley Seeding Project Proposal - Davies
- 2013 habitat enhancement project ranking calendar

Updates

Bear River Watershed Conservation Area - Myler

Myler provided an update on the FWS Refuge Easement Program. The program if approved will allow the FWS to acquire conservation easements in the Bear River conservation area. A series of public meetings on the program is planned, he said, and a schedule to be passed along to ECC members via email. Myler said Tracy Casselman will head efforts in Idaho and will likely be contacting ECC members soon for letters of support. He said he hopes that group, the ECC and SSLT will all be able to work together. Stenberg asked about the level of funding for the program. Myler said that has been refined a few times and it would be best to wait for public meetings to get the final funding amount. Myler noted that the program would include only conservation easements, not fee title projects. If ECC members would like the fee title option available for conservation projects, they should mention that in their comments and letters of support.

Twin Lakes' Bear River Narrows Project - Stenberg

Stenberg said he recently spoke with a FERC representative regarding timing of comments on Twin Lakes Canal Company's Final License Proposal (FLP) for the Bear River Narrows Project. He provided a summary to the ECC. The FLP will be posted to FERC's web site as soon as it is filed. FERC will then review the FLP for compliance with requirements and could determine it ready for environmental review (REA), reject it or request additional information. If not rejected and FERC determines it

compete, the comment period will start with FERC issuing the REA notice. This will signal the start of a new process, and interested parties must re-register as interveners at that point to stay involved. This is the beginning of the NEPA process for the project and there will be a 60-day review period.

Bear Lake Operations – Stenberg

Stenberg reviewed PacifiCorp's Summary of Water Year 2012 Bear Lake Operations as on overhead (Attachment 2). This was presented as an informational item to ECC.

BCT Conservation Hatchery Program

Teuscher was not present, but provided an update to Stenberg by phone prior to the meeting. Stenberg asked ECC members how they felt about continuing expansion of the broodstock program, specifically to the Oneida and Nounan reaches. ECC members indicated that they would support such an expansion.

ECC Ground Rules

Stenberg reviewed updates to the ECC's Ground Rules via overhead. A vote was called to approve the changes:

- Endorse changes to the ECC's Ground Rules to clarify "duly noticed" meetings. Consensus reached.

Stenberg will post the updated ground rules to the ECC's web site.

Updates, continued

Cottonwood Fish Screens – DeRito

DeRito said this project is on hold until next year. Estimates for Davis came in high, he said. Estimates for Treasureton are not in yet. He said it appears that the project will be \$61,000 to \$91,000 short in funding. He will work to finalize plans and approach the ECC for additional funding when more details/firmer costs are in. DeRito will prepare a project proposal when that information is available.

Myler reported that **North Hoops Creek** was finished last week under budget. Stenberg reported that work on **Trout Creek** was about to start, but the proponent had problems with permitting and he was not sure if work was started or not.

Whitewater Boater Flows - Stenberg

- March 1, 2013 – PacifiCorp will provide whitewater flow schedule.
- March 20, 2013 - Flow schedule will be submitted to FERC.

2012 Annual Report

Stenberg noted that work on the annual report was underway. He asked ECC members to share photos they may have. The report will be submitted to FERC in March.

Grant Fund Cycle Calendar

Hugentobler will draft a schedule and route to the ECC for approval.

Attachment 1 – Record of Email Voting

**Bear River ECC
Record of Email Voting
Approve Eight Mile Creek Consultant
Queries by Stenberg October 15 and 17, 2012**

Date: Mon, 15 Oct 2012 13:48:45 -0700 [10/15/2012 02:48:45 PM MDT]
From: ["Stenberg, Mark" <Mark.Stenberg@PacifiCorp.com>](mailto:Mark.Stenberg@PacifiCorp.com)
To: [\[Show addresses - 24 recipients\]](#)
Cc: ['Joselin Matkins' <joselin@sagebrushlandtrust.org>](mailto:joselin@sagebrushlandtrust.org), ["Stenberg, Mark" <Mark.Stenberg@PacifiCorp.com>](mailto:Mark.Stenberg@PacifiCorp.com)
Subject: Eight Mile Creek Consultant Recommendation - Please Reply
Part(s): [Download All Attachments \(in .zip file\)](#) 
Headers: [Show All Headers](#)

Good Afternoon,

Joselin is recommending that we proceed with hiring Biota to perform the Eight Mile Creek scope of work that we have been discussing. Please reply to Joselin, Miriam and myself with your concurrence. See her summary comments on the selection below. If you need the proposals see previous email for link to PacifiCorp's website where they are posted. Also if you have any opinions about the use of MIM please let us know as Biota has not proposed to use it.

Mark Stenberg
PacifiCorp Energy
208 380-2193

Date: Wed, 17 Oct 2012 11:29:10 -0700 [10/17/2012 12:29:10 PM MST]

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

To: [\[Show addresses - 25 recipients\]](#)

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

Subject: BIOTA and MIM Update - Eight Mile Creek Assessment

Part(s): [Download All Attachments \(in .zip file\)](#)

Headers: [Show All Headers](#)

Hello Everyone,

We received several replies in support and some indifference to further exploring the use of Multiple Indicator Monitoring (MIM) for the Eight Mile Creek Assessment. Joselin has had an initial conversation with Biota about the incorporation of the additional elements that would change the scope to accommodate the MIM protocol. This will add additional effort and cost to the proposal. In an effort to meet everyone's needs Joselin has asked Biota to provide an estimate to include an appropriate number of MIM sites and keep the budget under the cost of the second proposal in our ranking. This would allow an increase of \$2k to \$3k for incorporation of MIM. Once Joselin has made her best effort to incorporate MIM within this budget increase we will need to proceed with either the original scope or the MIM modified scope. I just revisited our September notes to see what we approved, see below, we had consensus for SSLT to move forward and we granted approval for SSLT to commission a consultant to prepare a riparian improvement plan. Given the comments received, she will do her best to incorporate MIM and if not reasonably possible from a budget standpoint then she will move forward expediently with the current scope. Look for an update tomorrow when we have a reply back from Biota. As always call or email with question or comments.

From the Sept Land Trust Notes:

Stenberg asked for a consensus check on the following:

- *Support the budget for the proposed Harris/8-Mile Creek Easement as detailed in the 9-17-12 scoping report project estimate, based on what is currently known. Consensus reached – yes.*
- *Have SSLT move forward and grant approval to commission a consultant to prepare a riparian improvement plan for the proposed Harris/8-Mile Creek Easement and incorporate this cost into the budget. This would bring the ECC's total cost to approximately \$705,000. Consensus reached - yes.*

Mark Stenberg
PacifiCorp Energy
208 547-7305

**Results of ECC Member Voting
Approve Eight Mile Creek Consultant
Email Query by Stenberg
October 15 and 17, 2012**

Vote			Name	Organization
Biota	MIM	Affirm Both		
yes	yes		Lyman	USFS
yes	yes		DeRito	Trout Unlimited
yes			Mladenka	IDEQ
			Lewis	Idaho Rivers United
			Just	Idaho Parks and Rec
yes			Teuscher	Idaho Fish and Game
yes	yes	yes	Berglund	BLM
			Osborne	Sho-Bans
			Rosebrough	National Park Service
			Vincent	American Whitewater
yes		yes	Santarsiere	Greater Yellowstone
yes		yes	Stenberg	PacifiCorp
yes	yes	yes	Myler	USFWS

Attachment 2 – Summary of Water Year 2012 Bear Lake Operations

SUMMARY OF WATER YEAR 2012 BEAR LAKE OPERATIONS

Date	Hydrologic Information/Event	Contents (% of Full) Discharge (% of Normal)
10-01-11	Bear Lake Beginning Elevation - 5,919.94 ft.	1,160,796 af (82%)
01-06-12	Bear Lake Low Elevation - 5,918.73 ft. (see note 1)	1,076,494 af (76%)
	Rainbow Inlet Canal Discharge	156,569 af (67%)
	Bear River Discharge Below Stewart Dam	3,700 af
	Bear Lake Net Runoff (Computed Total Inflow less Lake Evaporation)	94,800 af (29%)
05-10-12	Bear Lake High Elevation - 5,920.40 ft.	1,192,933 af (84%)
	Outlet Canal Releases:10/1/11-1/6/12 (flood control); 5/10/12-10/11/12 (irrigation)	367,883 af
06-28-12	Outlet Canal Maximum Release - 1,600 cfs	
	Bear Lake Storage Release (see note 2)	218,400 af
09-30-12	Bear Lake Ending Elevation - 5,915.92 ft.	883,199 af (62%)
	Bear Lake Settlement Agreement "System Loss" Volume (see note 3)	29,400 af

Notes:

1 - Low contents prior to start of storage.

2 - Includes storage releases made through October 11, 2012 for use by Bear River Canal Company, includes water released from Alexander reservoir for irrigation use that was replaced by water from Bear Lake from October 31 to November 5, 2012.

Notable Events

The PacifiCorp Target Elevation was 5918' at the beginning of the water year and flood control releases were made from Bear Lake until the target elevation was changed to 5920' on January

6, 2012 when flood control releases ceased. On March 31, 2012, the date the target elevation should ideally be reached, the elevation was 5919.78 feet.

Bear Lake net runoff was only 29% of normal and the water level at Bear Lake decreased nearly 5 feet from the spring maximum elevation of 5920.40 feet.

Nine scheduled recreational releases were made into the Black Canyon below Grace Dam.

During the irrigation season PacifiCorp released 218,400 AF of storage water for irrigators, 29,400 AF of which passed below Cutler and was accounted for as system loss under the Bear Lake Settlement Agreement, so it was not counted against the irrigator's allocation. The net Bear Lake storage release for the irrigators was 189,000 AF, and 56,000 AF of the irrigator's allocation was saved for recovery of Bear Lake.

Alexander reservoir was drawn down for maintenance and repairs at the end of the irrigation season and the water was delivered to irrigators in place of Bear Lake water by reducing the flow from the Bear Lake Outlet canal. The reservoir was subsequently refilled with an equivalent volume of water (6,500 AF) that was released from the Bear Lake Outlet Canal October 31 to November 5, 2012.

The Bear River Bird Refuge and Bear River Canal Company failed to reach a verbal agreement to share the natural flow at the end of the irrigation season, so Bear Lake storage water releases were extended into October.

Current Status

Bear Lake elevation as of November 11, 2012 was 5915.52 feet. The seasonal low elevation of 5915.50 feet occurred on November 9, 2012. The flow in the Rainbow Inlet Canal is 160 cfs, the causeway is open and the water is entering Bear Lake.

Scenario for 2013

Despite the reduction in water level at Bear Lake, the irrigation allocation will still be the maximum possible regardless of the volume of spring runoff since Bear Lake is already above 5914.7, the elevation at which the allocation begins to be decreased. A full allocation for Irrigators is 245,000 AF less delivery losses for a total of 236,303 AF.

Graphs of Water Year 2012, 2011 and Recent 15-year Average Conditions



