

**Bear River ECC  
Final Meeting Notes  
August 7, 2015  
Pocatello, ID**

**ECC Members Present**

Mark Stenberg, PacifiCorp  
Lynn Van Every, Idaho Department of Environmental Quality  
Jim DeRito, Trout Unlimited  
David Pacioretty, Bureau of Land Management  
David Teuscher, Idaho Department of Fish and Game  
Cary Myler, U.S. Fish and Wildlife Service  
Corey Lyman, U.S. Forest Service

**Others Present**

Greg Mladenka, Idaho Department of Environmental Quality  
Babette Thorpe, Sagebrush Steppe Land Trust  
Tom Lucia  
Sarah Lien, Trout Unlimited  
Mark Davidson, Trout Unlimited  
Jason Westover, Cub River Irrigation Company  
Howard Nelson, Cub River Irrigation Company  
Don Baldwin, Cub River Irrigation Company  
Regan Wheeler, Cub River Irrigation Company

**Participating by Phone**

Eve Davies, PacifiCorp  
Kathy Rinaldi, Greater Yellowstone Coalition

<b>Commitments Made at the August 2015 Meeting</b>	
All	<ul style="list-style-type: none"> <li>Consider revision or amendment of the Comprehensive BCT Recovery Plan to include new information from Mabey. Schedule meeting time as needed. Invite Mabey and add to the ECC's agenda.</li> </ul>
Mladenka	<ul style="list-style-type: none"> <li>Review the ECC's Streambank Stabilization Policy for possible updates (fall 2015).</li> </ul>
Stenberg	<ul style="list-style-type: none"> <li>Check in on Sweers habitat enhancement project. Provide update at next meeting.</li> <li>Speak with SSLT about ECC review/approval of plan for Kackley Creek Renovation project.</li> <li>Continue to work with Bushman on fencing project.</li> </ul>
Teuscher	<ul style="list-style-type: none"> <li>Provide items needed for Georgetown closing to Stenberg. Let Stenberg know when final approval has been granted.</li> </ul>
Hugentobler	<ul style="list-style-type: none"> <li>Add an item to the project forms regarding overhead fees, who would manage funds. Route edits to the ECC for approval.</li> <li>Coordinate scheduling of September site visits.</li> </ul>
Action items in blue have been carried over.	

## Decisions Made via Email since Previous ECC Meeting

- Approved final transactions costs for the Jensen/Mink Creek conservation easement.

## Decisions Made at This Meeting<sup>1</sup>

- Approved Land and Water funding in the amount of \$30,000 for Sagebrush Steppe Land Trust's executive director's position.

## Review of Agenda and Action Items

Stenberg reviewed the day's agenda. The following changes were made to the agenda:

- Bushman/Stauffer was removed from the agenda.
- An update on Twin Lakes proposed Bear River Narrows project was added to the agenda.

Action items from the last ECC were reviewed. Items carried over appear in blue in the table, above.

## Updates

Stenberg reported that FERC environmental inspection of the Bear River project was completed the day before this meeting. The inspection went well, he said. The facilities and projects looked good. The inspector said he observed no noncompliance issues.

Stenberg provided an update on flows at Lifton.

## Project Updates

Lyman said work at **Coop Creek** is scheduled to take place next week. Work on **Trail Bridge** will take place in August or September. Teuscher reported that the **Screen Tender** work is going well. Follow-up work on the **Stauffer culvert** was completed this week.

Stenberg reported that he toured Dead Horse, Whiskey Creek, Tingey, Wahlen's pipe on Williams, Kackley, Boyack, and Henderson (completed projects) with the FERC inspector. All looked good.

Myler reported that **Bushman** has been shopping diligently for fencing. Myler said the scope of the project (amount of fence) needs further consideration. He noted that project cost could be decreased by putting in straight fence instead of following contours of stream. Also, 4-strand could be installed rather than buck and rail. Stenberg will continue work on this.

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<sup>1</sup> See Land and Water Fund Updates for additional decisions.

### **Overhead Cost on ECC Projects**

Stenberg said he recently became aware that agencies tag an overhead fee onto ECC invoices. Lyman saw Stenberg's related email regarding overhead on the Alleman fencing project and requested further discussion with the ECC. Lyman said any project he brings in-house (through USFS) automatically tags on 8 percent overhead for handling money. He said he would like to hear other agencies' policies. Stenberg said he didn't have a problem with it, he just thought that we did not do it. Stenberg said he would like to add an item to the funding proposal form about overhead—including who is going to manage the funds. In the case of project in question, it took the amount of the invoice over the approved amount.

Davies said she had the same recollection, that the intent was to not charge overhead to ECC projects. She believes that the situation has changed and that may no longer be possible. Van Every noted that in the 319 process there is a limit to overhead that can be charged. Two changes to the form were proposed: 1) Are there overhead charges from funds manager and how much? 2) who will manage the funds? Van Every asked whether any limit should be placed on overhead charged to ECC projects. Teuscher suggested including overhead as a line item, he noted that his agency revises the amount annually, so it will vary. Van Every said overhead may be higher for certain projects as well.

### **Mussels Found on Contractor's Barge during Inspection – Update by Davies**

Davies reported that the same contractor was hired to install new screens at Cutler and also do some work at Soda. This work included many subcontractors and many boats, she said. PacifiCorp required a plan for dealing with invasive species from the contractor and had received the plan later than normal. She said one of the boats used for Soda was recently purchased and had been in Lake Mead. This immediately raised concerns, she said, but meanwhile the contractor had launched the boat at Cutler. This launch was not project-related, she said, but was for testing. Then when heading to Soda, the boat was inspected at the Utah-Idaho border and dead mussels were found under the motor. The barge had previously passed inspection at the Nevada-Utah border. Fortunately, Davies said, the barge had been dry docked for 9 weeks and the mussels were dead. PacifiCorp did not learn of all this until later that day, she said. PacifiCorp had the contractor pull all boats that day and all were inspected. PacifiCorp also requested information on where all water craft had been for the past 6 months. As a result, work was not allowed to proceed until Monday of this week. Davies said the state of Utah is preparing a report on the incident, which she will share as requested. She said the nine-week dry dock hopefully prevented the spread of live mussels. She said the mussels can be very hard to find during inspection, and she was glad they were.

DeRito noted that a colleague of his was recently doing reclamation work and found snails in the sedge mats he had purchased. He said it has not been confirmed they were New Zealand mud snails, but this finding has raised concerns about what could be coming in on the sedges, including whirling disease, fungus, toads, etc. Lyman said he plans to survey the stream just as a precaution. He said he believes the company the mats were purchased from is diligent about weeds and other things they are aware of.

However, he is concerned that these materials are moving across state lines. Stenberg thanked DeRito for calling this to the group's attention.

**<Adjourned to Closed Session for Land and Water Fund Updates>**

**Sagebrush Steppe Land Trust – Funding for Executive Director's Position**

A proposal for funding for Sagebrush Steppe Land Trust's executive director's position in the amount of \$30,000 was provided to ECC members via email prior to this meeting. Stenberg called for a vote to approve the funding request. Consensus was reached—funding was approved unanimously.

**Closing Comments and Next Meeting**

Pacioretty reported that BLM is currently interviewing for Arn Berglund's position, fisheries biologist.

**Twin Lakes** – There has been no further word on when a Draft EIS will be issued for the Bear River Narrows project.

**Paris Creek** – Stenberg said PacifiCorp has built some tools to evaluate the water swap concept. He said PacifiCorp will come back to the ECC with a proposal. Mladenka asked whether he or Lyman need to do anything. Lyman said he is willing to do the monitoring, but doesn't want to put effort into it until there is more certainty about the project going forward. Stenberg said a short term swap may be proposed to see how it looks and whether assumptions are correct.

A field review will be scheduled in September. The next regular ECC meeting will take place October 21 at IDEQ offices in Pocatello.

**Adjourned**