

**Bear River ECC  
Final Meeting Notes  
January 21, 2021  
--Online Meeting--**

<b>ECC Members Present</b>		
	<b>Name</b>	<b>Organization</b>
x	Mark Stenberg	PacifiCorp
x	Lynn Van Every	Idaho Department of Environmental Quality
x	Jim DeRito	Trout Unlimited
x	Corey Lyman	U.S. Forest Service
x	Matt Bringham	U.S. Fish and Wildlife Service
	Carson Watkins	Idaho Department of Fish and Game
	Allison Michalski	Greater Yellowstone Coalition
x	Ryan Beatty	Bureau of Land Management
x	Charlie Vincent	American Whitewater
	Hunter Osborne	Shoshone-Bannock Tribes
	Kirk Rich	Idaho Department of Parks and Recreation
	Susan Rosebrough	National Park Service
	Kevin Lewis	Idaho Rivers United

<b>Others Present</b>		
	<b>Name</b>	<b>Organization</b>
	Eve Davies	PacifiCorp
x	Matt Lucia	Sagebrush Steppe Land Trust
x	Ryan Hillyard	Idaho Department of Fish and Game
x	Steven Smith	Idaho Department of Environmental Quality
x	Matt Schenk	Idaho Department of Environmental Quality
x	Jennifer Cornell	Sagebrush Steppe Land Trust
x	Bradley Parry	Northwest Band of Shoshone
x	Jaime Campbell	Sagebrush Steppe Land Trust
x	Kevin Colburn	American Whitewater

<b>Commitments Made at the January 21, 2021 Meeting</b>	
All	<ul style="list-style-type: none"> <li>• Comments on 2020 Annual Report due by February 15, 2021</li> <li>• Short forms (proposals) for 2021 Habitat Enhancement Projects due to Stenberg &amp; Hugentobler March 5, 2021. Long forms (applications) are due April 9, 2021. Subcommittee will rank projects April 21, 2021.</li> <li>• <u>Let Stenberg know if you would like to be on the Grant Fund Ranking subcommittee.</u></li> </ul>
Stenberg	<ul style="list-style-type: none"> <li>• Continue discussion of 2021 whitewater boater flows (WWBF) with American Whitewater. Add to the ECC's March ECC agenda.</li> <li>• Notify Gentile Canal of any scheduled WWBFs.</li> <li>• Set up a Station Creek update call with Nick Bowles, Corey Lyman and Jim DeRito.</li> <li>• Set up a Paris water swap meeting.</li> <li>• <a href="#">Water rights analysis for Bear Creek</a></li> </ul>
Lucia	<ul style="list-style-type: none"> <li>• <a href="#">Arrange a meeting with Stenberg and surveyor to discuss Jensen correction. Report back to ECC with cost estimate.</a></li> </ul>

	<ul style="list-style-type: none"> <li>• Provide information on water rights encumbered on SSLT's Mink Creek projects.</li> </ul>
Watkins, Hillyard	<ul style="list-style-type: none"> <li>• Keep ECC in the loop on conceptual water planning for multiple properties on Steve's Creek. Note: Site visit with consultant is planned/IDFG proposal in spring 2021.</li> <li>• Provide information on fish populations and distribution in Mink Creek. Summarize Twin Lakes data. Consider future sampling.</li> </ul>
Hillyard/Schenk	<ul style="list-style-type: none"> <li>• Coordinate on Phoslock treatment of Cove broodstock ponds. IDEQ to cover water quality sampling costs.</li> </ul>
Hugentobler	<ul style="list-style-type: none"> <li>• Paris Diversion award letter (check in with Mark on status week of February 1)</li> </ul>
Action items in blue have been carried over.	

## Decisions Made Since the Last Meeting

- Approved November meeting notes.

## Decisions Made at This Meeting

- Approved a request from IDFG for Phoslock treatment to control overgrowth of algae in the Cove broodstock ponds in the amount of \$1,685 per pond, to be paid from the habitat enhancement fund. Treatment to be conducted as a pilot project in coordination with IDEQ. IDEQ will provide water quality sampling.
- Approved the B&R Ranch Project Scoping Report.

## Additions to the Agenda

- 2021 whitewater boater flows
- Updates on Idaho Department of Fish and Game's projects
- Introduction of Sagebrush Steppe Land Trust's new conservation manager, Jaime Campbell.

## Calendar Review

Stenberg noted that agenda items from the December 2020 meeting, which was cancelled, will be covered at this meeting.

## 2021 Habitat Enhancement Projects

Proposals for 2021 habitat enhancement projects are currently being accepted, with short forms (proposals) due by March 5, 2021. Long forms (applications) are due by April 9, 2021. The Grant Fund subcommittee will meet virtually to rank projects April 22, 2021. Stenberg asked that ECC members who would like to participate on the Grant Fund subcommittee email him to confirm.

## 2021 Land and Water Projects

Lucia will present SSLT's annual priorities at the next ECC meeting.

## **Whitewater Boater Flows**

Stenberg reviewed 2020 boater flows. The first weekend of 2020 boater flows took place as scheduled, he said, but the remainder were cancelled due to COVID-19 stay-at-home orders. However, due to an outage at Grace, the plant spilled all summer and PacifiCorp made up the missed boater flows in late August/early September. Stenberg said a calendar for 2021 Whitewater Boater Flows has been proposed and American Whitewater has requested late flows again this year. Stenberg said Grace will still be out during 2021. In 2022 all three units will be back up. Stenberg said the Grace operator would like to stick with original whitewater boater flow agreement. Stenberg noted that all three units will be rebuilt over the term of the license. There are also some other larger maintenance items over the next 10-15 years.

Stenberg proposed that American Whitewater let the fourth scheduled boater flow weekend go during 2021. Typically, it has not been heavily used, he said, as other areas open for boating. Stenberg proposed three weekends early in the 2021 season, unless PacifiCorp has an outage. In that case, two weekends would be provided later in the summer.

Colburn said he was taken aback by a proposal to take away flows. He said he thinks the two are not related. Vincent said he viewed the proposal as a trade for fall releases. Colburn said he viewed no later releases as an ecological issue. Van Every said he viewed the aim of the schedule as having spring flows, then trying to get back to baseline during summer. He said he's not opposed to late summer flows. Colburn asked if the late summer issue applied to every year, or just these maintenance years. Van Every said he didn't think whitewater boater flows in the later summer would cause water quality issues, especially with flows due to the outage at Grace. Stenberg asked if ECC members had water quality concerns. There was general agreement that there probably is not, given the Grace outage and the initial pulse in spring. Stenberg said any change in boater flows will need approval from ECC. Van Every clarified that this proposal concerns only when flows are in the canyon during summer with the Grace outage and does not intend to throw out the Whitewater Boater Flow Agreement. Colburn agreed there would be value in the late summer flows and maintenance could result in some special years. Stenberg will continue discussion of 2021 whitewater boater flows with American Whitewater and bring a proposal back to the ECC in March. Hillyard suggested that Gentile Canal be notified in advance of whitewater boater flows because of concerns regarding their intake.

## **Sagebrush Steppe Land Trust – New Conservation Manager**

Lucia introduced Jaime Campbell as SSLT's new conservation manager. Her responsibilities will include:

- Land protection program (Conservation easement program)
- Stewardship program
- Community conservation (a new program). Portneuf River restoration will be a goal

## Review of ECC Funds - Stenberg

### Land and Water Fund

\$1,369,000 – 2020 year-end balance  
+ \$426,600 – 2021 funding (interest to be applied)  
\$1,795,000 – 2021 funding amount  
- \$733,650 – Future obligations  
\$1,061,350 – Available for projects

### Habitat Enhancement Fund

\$440,443 – 2020 year-end balance  
\$3,000 – Estimated interest  
+ \$237,474 – 2021 funding  
\$680,000 – Balance

## Project Updates

**Mussler** – Smith contacted this landowner. Mussler would still like to proceed with this project and is hoping to do so this spring. Stenberg noted this is the oldest unfinished ECC grant project.

**Kackley Pond** – Stenberg said he originally thought this project would be simpler but design plans and a Corps permit will be required. He will rework the project and prepare a short form for 2021, changing it to a design project for now. The ECC can work together on desired future conditions.

**Bear Creek** – Stenberg said the landowners installed the beaver dam analogs (BDAs) for this project and may submit an additional request to cover materials. It was originally thought that Anabranh would install the BDAs. Lyman provided an update on **Station Creek**. He said the Forest Service has given Anabranh the green light on Forest Service land on Station Creek. Anabranh said they'd proceed, and that no permitting is needed, but he hasn't received an update since. Stenberg will organize a call with Lyman, DeRito, and Anabranh for an update. Stenberg said he will proceed with the Bear Creek water rights analysis.

**Cottonwood Creek** – Smith said the applicant is not going ahead with this project. He will request written confirmation from them. Stenberg offered to provide a letter if needed.

**Kackley-Cove Springs Planting** – Lucia reported that 500 containerized plants were planted in October for this project, led by Sagebrush Steppe Land Trust and Bureau of Land Management. Plantings were bucket-watered. Then beaver came in, and additional funding was provided by U.S. Fish and Wildlife Service for an enclosure. Lucia said the next big expense will be for watering. He said beaver got about 50 of the plants but the root balls were in good condition.

**Mill Hollow** – Lyman said this project should be implemented as planned this year in August or September.

**Paris Creek Irrigation Diversion Design** – This project was approved by the ECC last year but is out of the action area. It is one component of the Paris water swap.

**Paris Water Swap** – Stenberg said PacifiCorp has approved the Paris water swap and there is a 2.5-year timeline to get it all done. This will include a number of agreements with the irrigation company, PacifiCorp, stock waterers, etc. He briefly reviewed project calendar. Stenberg said he will be busy with Paris and help with Kackley would be welcome. Lyman said he'd be willing to help at Kackley in March and April, and also with the Forest Service portion of Paris. Lucia said SSLT would be willing to help as well. DeRito said the first step for Paris would be to get an engineer onsite. Stenberg said the ECC is the first to hear of approval, and he has many phone calls to make. Van Every said the timing is good for a possible 319 project this year. Stenberg noted he has PacifiCorp funding (\$25,000–\$40,000) for match in the stock watering portion. Stenberg said he has management approval to proceed, but still more preliminary steps are needed. He will provide notifications this week (phone calls) before ECC starts and will set up a meeting in about a week.

#### **Idaho Department of Fish and Game Updates**

**Thomas Fork** – Hillyard said the fishway work is done. A redo of the diversion is now being considered. IDFG has proposed working on it together with the owner to make it more fish friendly (engineering). He said IDFG will apply for habitat enhancement funding for the project this year.

**Albert Moser** – Hillyard said this fish screen wasn't operating for a couple of years. He said the screening has now been updated but it hasn't been run yet.

**North Creek** – Hillyard said the screen is a Gooby bubbler retrofit and needs work. IDFG will seek habitat enhancement funding for the project this year.

**Broodstock Pond Netting Tarp** – Hillyard said the tarp cover for storage of the pond's bird exclusion netting has been purchased and is in place. He showed photos of the fish netting.

**Steve's Creek** – Hillyard said IDFG received WINTI funding for design of this project and will implement this spring and summer. He said IDFG will seek additional ECC funding for this project as well. IDFG would like to start work in fall 2022.

**Phoslock Treatment Purchase** – Hillyard said IDFG would like to proceed with Phoslock treatment of the broodstock ponds to address algae buildup and is seeking habitat enhancement funding from the ECC for materials. The agency's consultant has recommended 8 50-lb bags per pond. Hillyard said there will be no effect on fish and no need to shut off inflow. He said cost will be \$1,685 per pond. Schenk asked if this will be needed yearly. Hillyard

said the need for retreatment is case by case, but less treatment should be needed in subsequent years. Van Every said some water quality sampling should be done pre/during/post treatment of both influent and effluent, in addition to visual monitoring. He offered Schenk's assistance and will provide data collection. Van Every said Phoslock is a rare earth material with a bentonite carrier. There are no data on effects, he said, but it's not regulated. Van Every proposed viewing this treatment as a pilot project and then revisiting. IDEQ will cover cost of sampling. Hillyard will coordinate treatments with Schenk.

Stenberg requested a roll call vote for approval of Phoslock treatment of the broodstock ponds at a cost of \$1,685 per pond, with water quality sampling provided by IDEQ. Approval was unanimous. A record of voting is provided below.

<b>Record of ECC Voting: Phoslock Treatment of BCT Broodstock Ponds</b>		
	<b>Name</b>	<b>Organization</b>
yes	Mark Stenberg	PacifiCorp
yes	Lynn Van Every (proxy to Schenk)	Idaho Department of Environmental Quality
yes	Jim DeRito	Trout Unlimited
yes	Corey Lyman	U.S. Forest Service
yes	Matt Bringhurst	U.S. Fish and Wildlife Service
yes	Ryan Hillyard	Idaho Department of Fish and Game
	Allison Michalski	Greater Yellowstone Coalition
yes	Ryan Beatty	Bureau of Land Management
yes	Charlie Vincent	American Whitewater
	Hunter Osborne	Shoshone-Bannock Tribes
	Kirk Rich	Idaho Department of Parks and Recreation
	Susan Rosebrough	National Park Service
	Kevin Lewis	Idaho Rivers United

### **Northwest Band of Shoshone Grant Proposals**

A habitat enhancement project proposal will be developed with Brad Parry for consideration during the ECC's 2021 grant cycle. DeRito agreed to serve as ECC sponsor. Smith offered to sit in. Lucia will work with Parry on a conservation easement proposal and will include it in SSLT's 2021 project priorities, to be presented to the ECC at its March meeting.

### **Sagebrush Steppe's Long-Term Stewardship Account**

Lucia reviewed returns on SSLT's long-term stewardship account. Lucia said SSLT is pleased with results/advice to work with actively managed accounts. The fund will pay for perpetual monitoring of properties and any problems.

### **2021 Grant Proposals Anticipated**

Stenberg reviewed 2021 habitat enhancement project proposals anticipated to date:

- Stauffer Creek
- Paris Diversion 2022
- Battle Creek Reclamation
- Steve's Creek Design
- Oxborough
- Dry Creek Fencing
- St Charles Creek Lower/South
- Battle Creek
- Screen Tender/Repair Request
- Davis Diversion on Cottonwood Creek (DeRito will follow up)
- Thomas Fork Diversion
- Maintenance for Kackley Plantings

2021 Land and Water Fund projects anticipated to date:

- B&R Ranch
- Fellows Water Agreement
- The Northwest Band of Shoshone, *Boa Agoi*
- Sagebrush Steppe Land Trust's 2021 priorities

The ECC adjourned to closed session for Land and Water Fund Updates.