

The Bear River Hydroelectric Project License & Settlement Agreement

10 Years (almost!)

PacifiCorp Energy
Mark Stenberg
License Program Manager

Hydro License Background

- U.S. hydro projects generally need a license from the Federal Energy Regulatory Commission (FERC) to operate.
- These are typically 30-50 year licenses.
- The Bear River developments needed to be relicensed.
- Utilities are required under several laws to coordinate with State and Federal resource management agencies during relicensing.

Hydro License Background

- PacifiCorp worked with U.S. Fish and Wildlife Service, U.S. Bureau of Land Management, U.S. National Park Service, USDA Forest Service, Shoshone-Bannock Tribes, Idaho Department of Environmental Quality, Idaho Department of Fish and Game, Idaho Department of Parks and Recreation, Trout Unlimited, Idaho Rivers United, Greater Yellowstone Coalition and American Whitewater to produce the August 2002 Settlement Agreement. These parties plus the Governor's office are signatories.

Hydro License Background

- The SA was submitted to FERC with a license application.
- FERC Issued a 30 year license on December 22, 2003. Order Issuing License and Adopting Settlement Agreement.
- The signatories of the settlement agreement formed the Bear River Environmental Coordinating Committee (ECC).

SODA DAM

LAST CHANCE

GRACE DAM

ONEIDA DAM

CUTLER

**TO GREAT
SALT LAKE**

● **PRESTON**

● **LOGAN**

IDAHO
UTAH

BEAR RIVER

**OUTLET
CANAL**

**LIFTON
PUMPS**

**BEAR
LAKE**

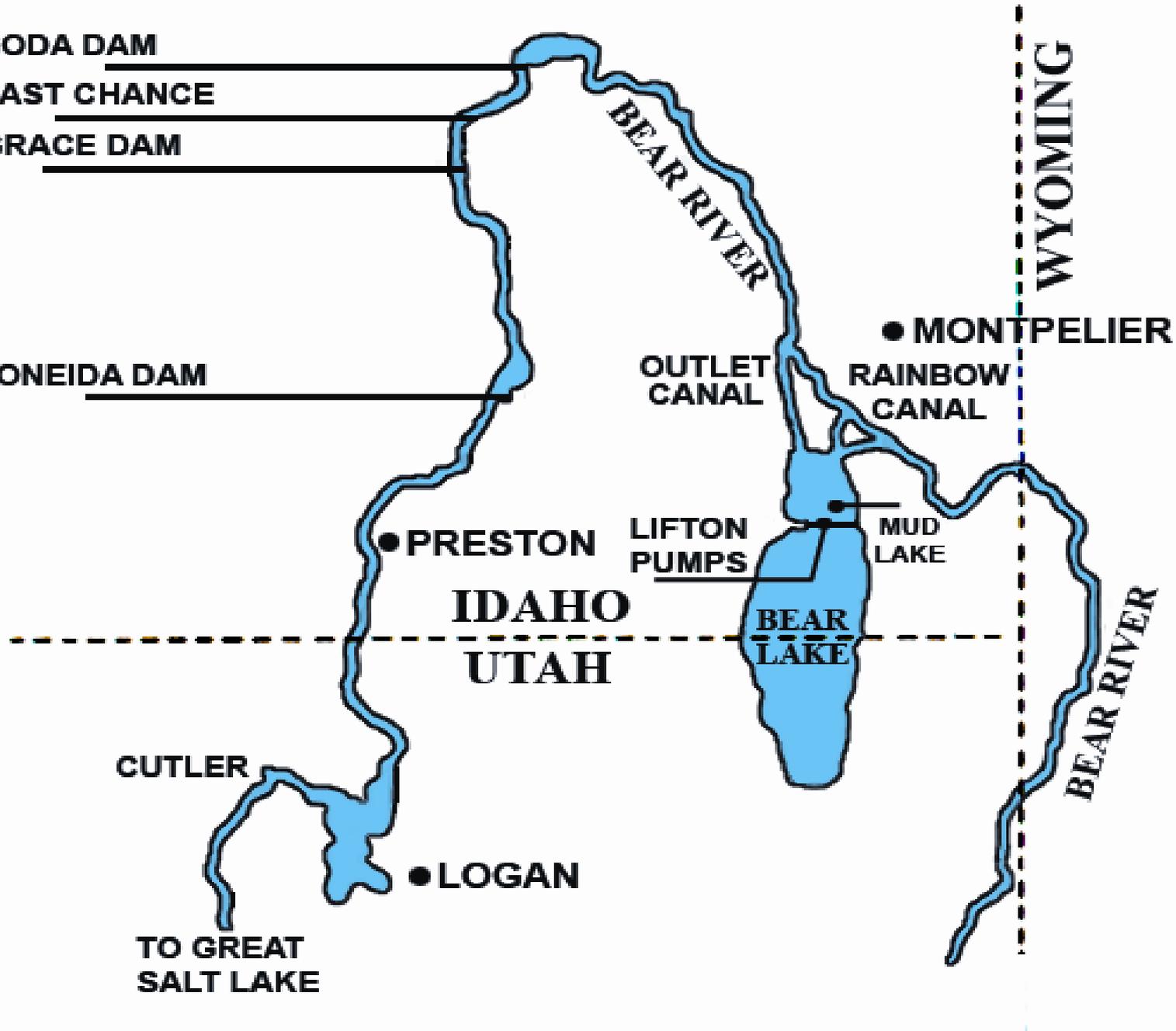
**RAINBOW
CANAL**

**MUD
LAKE**

● **MONTPELIER**

WYOMING

BEAR RIVER

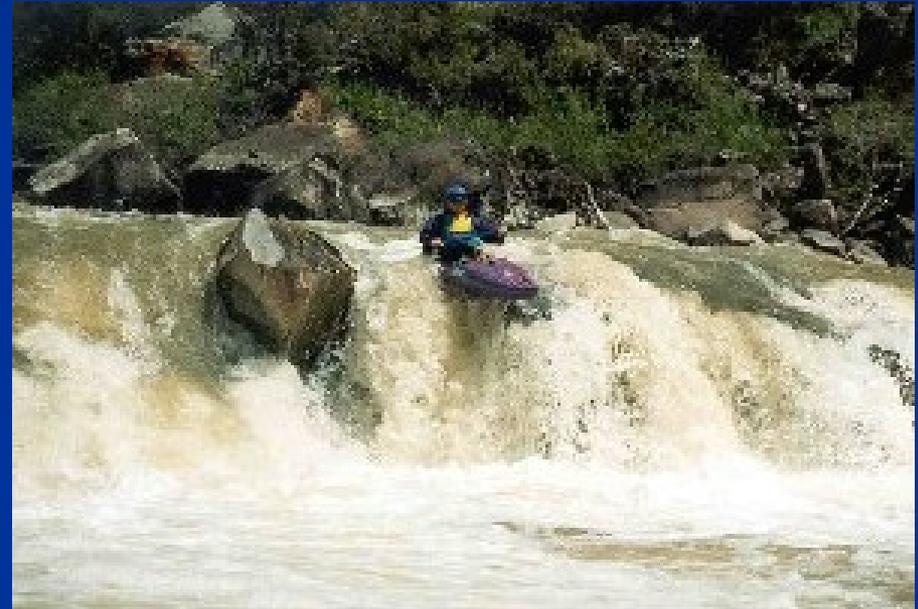


Implementation Study Provisions

- Bonneville cutthroat trout telemetry study.
- Analysis of Bonneville cutthroat trout genetic samples.
- Aerial photos and temperature imagery flight and analysis.
- Map of irrigation diversions to determine opportunity for screening, fish passage, and water conservation.
- Preparation of a Bonneville cutthroat trout restoration plan.
- Completion of Cultural Resource Surveys in APE.
- Completion of Historic Property Management Plan.
- Completion of Land Management and Site Plans.
- Cove Dam Feasibility Study.

Implementation Provisions

- Whitewater releases in Black Canyon and associated monitoring
- Minimum Flows and Ramp Rates
- Land Management Plan
 - Grace/Cove, Alexander and Oneida
- Recreation Management Plan
 - Campground Funding
 - Traffic Safety Plan
 - Caribou County Support
 - Law Enforcement Support
 - Upgrade Campground Facilities
 - Put-In and Take-Outs
 - Oneida Road – multiple items
 - Flow Phone & Website
- Kackley Springs Reconnect



Implementation Provisions Cont.

- Funding provided for a 3-year effort to developing a Bonneville cutthroat trout broodstock.
- Funding provided for a conservation hatchery program thru. 2033.
- First efforts focused on Thatcher Reach.
- Non-native stocking of Thatcher reach ceased in 2012.



Implementation Provisions Cont.

- Funding is available for Land and Water Conservation (\$300,000/year).
 - This may include:
 - Fee Title Acquisition
 - Conservation Easements
 - Water Rights
 - 2,033 acres protected (Thru Oct. 2012)
 - 12 transactions
 - \$1,969,447 invested.



Implementation Provisions Cont.

- Funding is available for habitat enhancement.
- River, stream, riparian, wetland restoration efforts (\$167,000/year starting this year).
 - Benefits to native fish and water quality
 - Long-term effectiveness / techniques
 - Cost to benefit
 - Project significance
 - Watershed perspective
 - Partnerships / match funding
- As of Oct. 2012, \$1,969,447 in Grant Funds Distributed.
- As of Oct. 2012, 72 Projects Funded or Partially Funded.

Paris Creek Irrigation Diversion Screening



Paris Creek Riparian Fencing



Bailey Creek Culvert Upgrades



Cottonwood Creek Diversion Screening and Passage



**Release of first Bonneville
Cutthroat Trout from
Conservation Hatchery Program
and Kackley Springs**



Kackley Springs Fish Sorting Facility



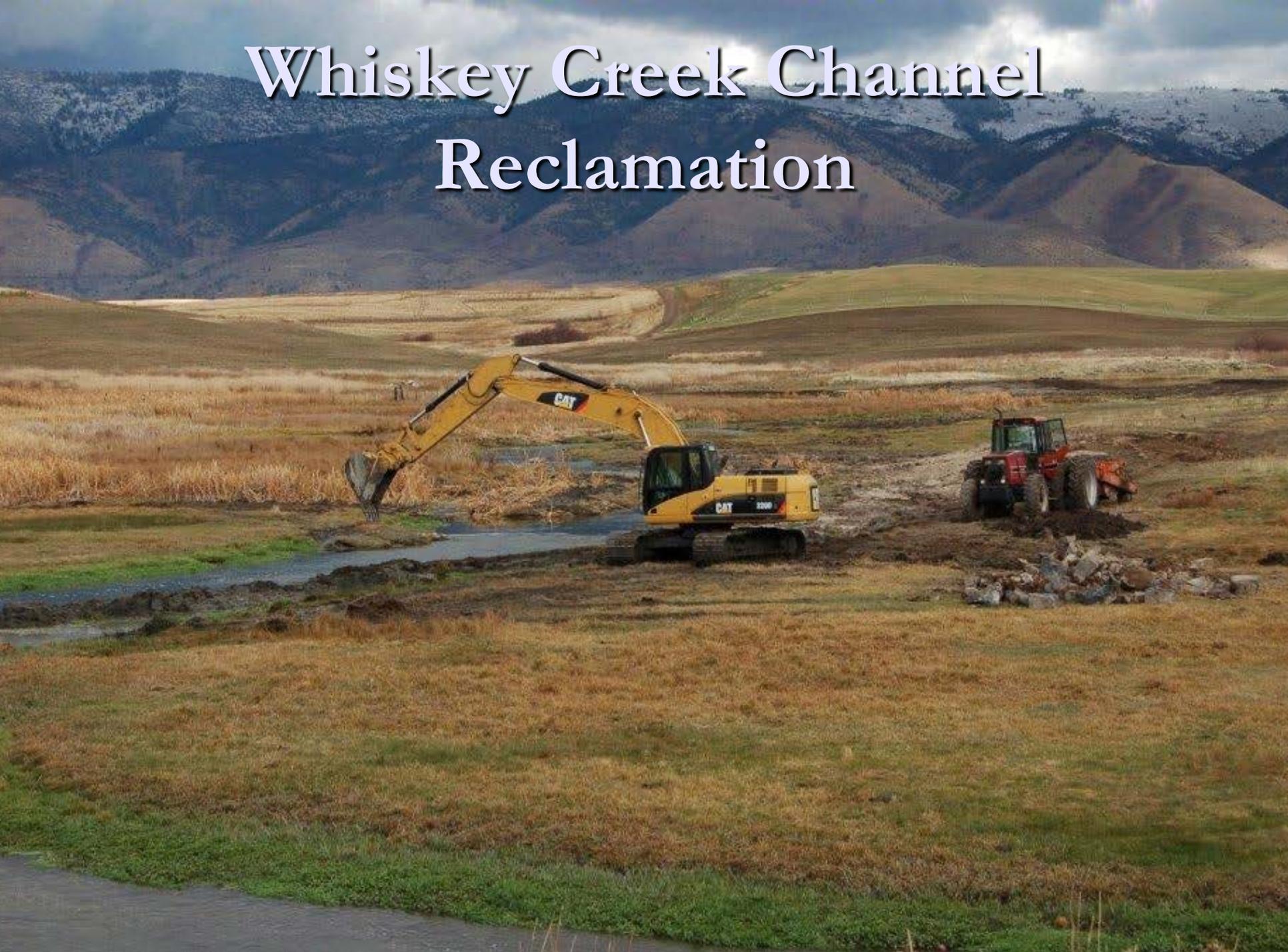
Irrigation Pump and Screen to
eliminate diversion and length of
canal.



Riparian Fencing in Oneida Canyon



Whiskey Creek Channel Reclamation



Any Questions?



Bear River Hydro Environmental Coordinator Contact

- For Information about the Habitat Enhancement and Land/Water Conservation Funding Application Procedure Contact:
 - Mark Stenberg
 - 822 Grace Power Plant Road
 - Grace, ID 83241
 - 208-547-7305
 - mark.stenberg@pacificorp.com



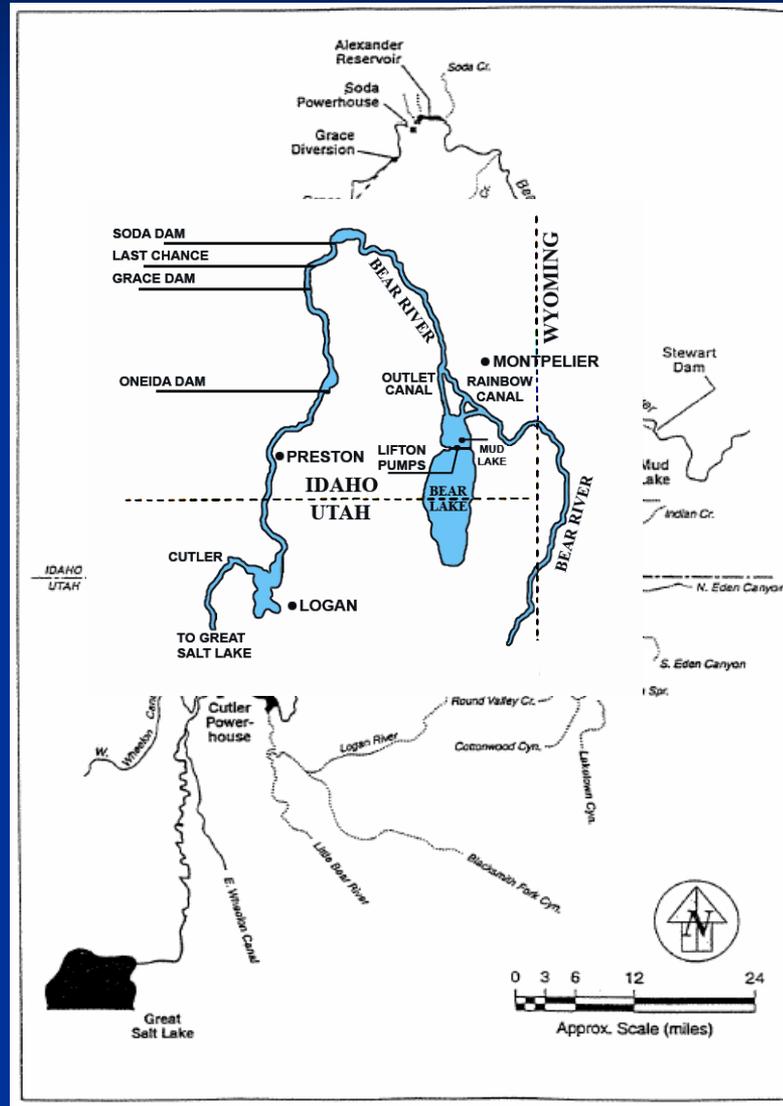
Van Every

Settlement Agreement Provisions

- Prioritization of restoration projects will emphasize:
 - Benefits to native fish
 - Long-term effectiveness
 - Cost:Benefit
 - Project significance
 - Watershed perspective
 - Partnerships



Settlement Agreement Area



Implementation Provisions

- Restoration Project Example:
 - Water Diversions
 - This May Include:
 - Ditch Consolidation
 - Conversion from surface to ground water
 - Conversion from flood to sprinkler system
 - Rebuild structure to accommodate fish passage
 - Screen structure to keep fish from entering ditches



Capurso

Settlement Agreement Provisions

- Dependent upon the findings of the Broodstock development program, IDFG will initiate a conservation hatchery program
 - It will operate annually after the 7th year, through the life of the license (\$100,000 annually).
 - Used in fish stocking and/or restoration efforts



Capurso

Implementation Provisions

- Restoration Project Example:
 - Riparian Area Restoration
 - This may include:
 - Fencing riparian areas
 - Pumping water to livestock
 - Beveling back unstable stream banks
 - Planting native riparian vegetation



Background

- Bonneville cutthroat trout are the only trout species native to the Bear River Subbasin.
- They are currently considered a Species of Concern by the State of Idaho and Sensitive by USDA Forest Service.
- They live in segments of the Bear River and some of its tributaries.



Presentation Contents

- Background
 - FERC Relicensing Process
 - Settlement Agreement Negotiations
 - Focus: Bonneville cutthroat trout and river/stream/wetland ecosystems
- Settlement Agreement Provisions
 - Studies
 - Conservation, Easements, Land Funding
 - Others
- Project Prioritization
- How to apply for funding



Implementation Requirements

- Assistance to Caribou County for maintenance of recreation sites at Alexander Reservoir (\$3,000/year)
- Improvements to Put-in and Take-out Facilities at Black Canyon and Oneida Narrows
- Bear River Flow Information Phone and Website

Settlement Agreement Provisions

- Reality Check!
- The conservation opportunities provided by the Bear River Settlement Agreement to the public are completely voluntary.
- The intent of this presentation is to inform you of these opportunities in case you wanted to partake.
- In addition, this presentation is to inform you of the other activities and studies that are underway and will occur.

Background

- Many conditions of the settlement agreement focused on the restoration of Bonneville cutthroat trout and their associated habitat, including:
 - the river
 - its tributaries
 - its wetlands
 - and its riparian areas



Settlement Agreement Provisions

- Funding provided for a 3-year radio-telemetry study of migratory Bonneville cutthroat trout (\$150,000).
- Led by IDFG
- This will provide information for the restoration plan.

