

## 6 ORGANIZATIONS AND PLANNING DOCUMENTS

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Implementing the Board's recommendations requires the cooperation of the public and other government agencies. Agencies administer specific programs within their statutory authority. This chapter of the *Plan* describes the different government agency programs and authorities pertinent to the Little Salmon River basin. It also describes the plans that these organizations use to guide their decisions.

These programs and authorities represent both opportunities and constraints. Opportunities because they allow agency personnel to contribute their expertise and agency dollars to the community, constraints because of the statutory, financial, and fiscal limitations of each program. The descriptions that follow are meant to provide additional information and clarification, as well as to highlight their impact on the recommendations made in this *Plan*.

### 6.1 Agencies and Programs

#### 6.1.1 State Agencies

State agencies carry out the state's policies, as directed by the governor. They are guided by Idaho Code, as written by the legislature. The legislature also provides funding to the state agencies and their programs. Agencies develop plans to guide their decisions, and develop Rules and Regulations to control decision-making processes.

#### ***Idaho Bureau of Disaster Services***

The Bureau of Disaster Services is in the military division of the executive office of the governor. After the flood events of the winter of 1996-1997, The Bureau of Disaster Services assisted local officials in recovery efforts, coordinating state/Federal Emergency Management Agency outreach workers who provided information on assistance programs, and advising victims on how to apply for and secure assistance. The Bureau of Disaster Services also facilitated the creation of a citizens group, the Little Salmon Watershed Alliance, Inc.

The impetus for the development of this plan was a petition to the Idaho Water Resource Board from the Alliance.

After every federally-declared disaster, an interagency team is convened to evaluate the disaster and make recommendations for avoiding or reducing loss in the future. In response to the floods in the winter of 1996-1997, an Interagency Hazard Mitigation Team compiled twenty-eight recommendations for consideration by the governor. The recommendations describe actions to be taken by different agencies, and identify appropriate agencies, funding sources, and propose schedules for completion.

#### **Hazard Mitigation Grant Program**

An important program associated with federal disasters is the Hazard Mitigation Grant Program, which can fund projects to reduce future losses from natural events. Eligible recipients are local governments, Indian Tribes, special districts, and certain non-profit organizations. Using this grant, Adams County has acquired a flood-damaged property near Pinehurst, and plans to convert the property to a public park or a stream rehabilitation demonstration project (Horton 1999).

Two conditions for eligibility in the Hazard Mitigation Grant Program are participation in the National Flood Insurance program and implementing the Uniform Building Code. Idaho County has not adopted the Uniform Building Code, and organizations and individuals in the county remain ineligible to participate in the Hazard Mitigation Grant Program (Gehrig 1999, Ruppe 1999).

#### ***Governor's Landslide Task Force***

In response to the landslide events of the winter of 1996-1997, Governor Philip E. Batt convened a task force to develop recommendations on actions to help develop effective mitigation and response efforts. The group was called the Governor's Landslide Task Force.

Four committees (Science, Mitigation, Policy, and Funding) developed sets of recommendations. The task force drew from the recommendations of each committee to write a recommendation report. The resultant report focused on ten recommendations that the task force felt to be critical to coping with landslide hazards in the state. The prioritized recommendations of the task force are included in the *Little Salmon River Basin CSWP Supplement: Flood and Landslide Management Information*. Each of the recommendations requires the dedication of significant resources by the state of Idaho. Potential funding sources are identified in the report.

The Idaho Bureau of Disaster Services is coordinating the implementation of the recommendations. As of August 1999, progress had been made in several areas. A landslide database has been completed by the Idaho Geological Society. The data is on a paper map and a GIS-based database is under development. In addition, the Idaho Bureau of Disaster Services has developed procedures for activating geotechnically-oriented rapid response teams.

Other recommendations of the task force have been pursued, although implementation has altered them somewhat. Ten sites have been identified for new or upgraded hydrological reporting instruments. Installation will depend on securing long-term maintenance commitments from local agencies or private organizations. In addition, *Idaho Code Chapter 10, section 46 (§ 46-1023)* was passed in 1998. This legislation denies state matching funds for federal disasters if the local jurisdiction has allowed further development in the floodplain (*Idaho Code § 46-1023*)(Weiser 1999). The appendices of the task force report identify mitigation methods and sources of assistance, categorized by long- and short-term actions and by agency.

### **Idaho Department of Agriculture**

The Department of Agriculture is in the executive branch of Idaho state government. The department provides technical,

financial, and worker protection programs to the Idaho agricultural community (Idaho Dept. of Agriculture 1999).

The department has authority to provide funds to Soil and Water Conservation Districts through a new cost-sharing program administered by the Soil Conservation Commission. A pre-existing program, the State Agriculture Water Quality Program, previously funded through the DEQ, is being replaced through the Department of Agriculture's Water Quality Program (Burleigh 1999). The Soil Conservation Commission and Soil Conservation Districts are discussed below.

### **Idaho Department of Commerce**

The Idaho Department of Commerce is an executive agency of Idaho state government. The department administers the Gem Community Program. This program "provides training and focused technical assistance to help Idaho communities organize for economic development, create long- and short-term development plans, and select targeted community development strategies" (Idaho Dept. of Commerce 1999). The Salmon River Economic Development Association in Riggins and the Adams County Development Corporation have met the requirements to become certified as Gem Communities.

### **Idaho Department of Environmental Quality**

The DEQ was granted department status effective July 1, 2000. The department was previously a division within the Idaho Department of Health and Welfare. As one of its many responsibilities, DEQ maintains and enforces water quality standards.

### **Water Quality Management Plans**

The 1972 federal Clean Water Act recognized that water quality has chemical, physical, and biological components that require monitoring and assessment. One of the national goals listed in the 1977 amendment to the Clean Water Act is the protection and management of waters to insure "fishable and swimmable" conditions

(Idaho Division of Environmental Quality 1997).

In 1995, the Idaho legislature adopted water quality statutes to meet the requirements of section 303(d) of the Clean Water Act. The DEQ identified stream reaches that are “water quality limited,” that is, not all designated beneficial uses are being met. The list is known as the 303(d) list. The designation requires development of TMDL standards to control pollution sources. Stream reaches have been prioritized for the development of TMDL standards, based on the risk to human health and aquatic life, or recreational, economic, and aesthetic values. Stream reaches in the Little Salmon River basin are all designated as low priority.

The 1995 legislation also started a process to develop water quality action plans through community-based advisory committees. The approach is two-tiered, with basin advisory groups developing recommendations regarding water quality standards and monitoring, pollution budgets, and prioritization of impaired waters. Watershed advisory groups, which work with smaller watersheds, develop and implement watershed action plans to meet the TMDL requirements. The Little Salmon River basin is a part of the Clearwater Basin Advisory Group, but a watershed advisory group has not yet been formed (Stewart 1999).

#### **Beneficial Use Reconnaissance Project**

In 1993, the DEQ initiated a pilot program dedicated to assessing the three major components of water quality as defined in the Clean Water Act: chemical, physical habitat, and biological (Idaho Division of Environmental Quality 1996). This program is called the Beneficial Use Reconnaissance Project. State Senate Bill 1284 designated DEQ to monitor those streams on the 303(d) list (see discussion above); the ambient monitoring is done by Beneficial Use Reconnaissance Project teams, who collect and assess the data. Beneficial Use Reconnaissance Project data has been collected on the Little Salmon River but has not yet been assessed or interpreted. The

data is available at DEQ’s main office in Boise.

#### **Clearwater Basin Bull Trout Technical Advisory Team (TAT)**

Basin Advisory Groups and Watershed Advisory Groups rely on Technical Advisory Teams. These teams are made of resource experts from federal, state, tribal, and private entities compile and evaluate relevant information and then forward a problem assessment and management recommendations to the DEQ.

A Clearwater Basin Bull Trout Technical Advisory Team was appointed and given jurisdiction over an area that includes the Little Salmon River basin. The goals of the Bull Trout Technical Advisory Team were to report on including bull trout ecology, threats, distribution and abundance in the Clearwater basin. In Key Watersheds, the Technical Advisory Team focused on habitat conditions, and watershed characteristics. The Clearwater Bull Trout Technical Advisory Team published their assessment and recommendations in November 1998.

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

The Idaho Department of Fish and Game was organized in 1938 by Idaho’s first successful citizens’ initiative. The department’s mandate is to preserve, protect, perpetuate, and manage all wildlife in the state (*Idaho Code § 36-103*).

Seven regional offices throughout the state provide services locally. The Little Salmon River basin is located in Region 3, under the jurisdiction of the McCall satellite office of the Nampa regional office.

The department has a number of fish and wildlife management plans, organized by individual species or by departmental regions. The plans described below are most relevant to the Little Salmon River basin.

## **A Vision for the Future: Policy Plan 1990-2005**

*A Vision for the Future* sets guiding principles for the agency in nine areas: management, public involvement, regulations, access, introductions and stocking, land acquisition, cooperation, habitat protection, and mitigation. The document also describes the organization of the department and projects issues and concerns over the planning period.

## **Fisheries Management Plan (1996-2000)**

The department's *Fisheries Management Plan (1996-2000)* describes the state of Idaho's policies to pursue improvement of fish populations and angling opportunities. The plan describes the department's emphasis on improving the Snake and Columbia rivers' migrant anadromous fish survival rates. In the Little Salmon River basin, the department is focusing on water and riparian quality above "The Falls" fish barrier on the mainstem Little Salmon River. The department has no immediate plans to propose modifications of The Falls or the natural fish-passage barriers in Hard Creek (Apperson 1999).

## **Governor Philip E. Batt's State of Idaho Bull Trout Conservation Plan**

In response to potential action by the federal government to list the bull trout as an endangered species, Governor Philip E. Batt initiated the development of a state plan to restore bull trout populations. The resulting report, *State of Idaho Bull Trout Conservation Plan* (Batt 1996), outlines a strategy for the protection and recovery of bull trout based on an ecosystem, rather than individual species, approach. Land and water uses that threaten bull trout are identified and explained.

The plan designates "Key Watersheds" as those watersheds critical to the long-term persistence of bull trout. Key Watersheds were selected on the basis of habitat, size, historical range of the fish, and best opportunity to restore high quality habitat (Batt 1996). The plan set a target date of

January 1, 1999, for the establishment of Watershed Advisory Groups. In coordination with the DEQ, Watershed Advisory Groups will develop recovery plans that focus on removing identified threats to bull trout habitat. Although the Little Salmon River basin is listed as a Key Watershed in the plan, no Watershed Advisory Groups has been established in the basin as of July 1999 (Stewart 1999).

The plan also calls for the development and implementation of six conservation plans a year, beginning in 1999, with at least one of those in the Salmon River basin each year. These conservation plans will be implemented by the DEQ and monitored by the Idaho Department of Fish and Game.

Authority to implement the governor's bull trout plan rests with several different agencies. Multiple state agencies have existing authorities to implement recovery strategies. Federal agencies have their own regulations that address native inland and anadromous fishes. Implementation of the governor's plan may lead to increased enforcement of existing laws and regulations for agriculture, municipalities, housing developments, recreation, forestry, livestock grazing, and fishing.

## **Idaho Department of Lands**

The Idaho Department of Lands is an executive agency in state government. Its mission is to manage endowment lands for beneficiaries and protect natural resources for the people of Idaho. The department administers the Idaho Forest Practice Act; and applies Best Management Practices for logging, grazing activities, and mining; and oversees navigable waterways.

The Idaho Department of Lands has eight regional offices; the entire Little Salmon River basin is served through the office in McCall. The department administers about 12,200 acres of land in the Little Salmon River basin.

### **Idaho Department of Parks and Recreation**

The Idaho Department of Parks and Recreation, created by the legislature in 1965, is an agency in the executive branch of state government. The department guides the development and implementation of the Statewide Comprehensive Outdoor Recreation Plan. The current plan, *1996 Idaho Statewide Comprehensive Outdoor Recreation and Tourism Planning: Assessment and Policy Plan*, was updated in July of 1998.

### **Land and Water Conservation Fund**

The purpose of the 1965 Land and Water Conservation Fund Act was to serve as a permanent source of federal funding to federal, state and local agencies for creating public park resources and recreation areas. The revenue source is off-shore oil and gas leases.

Through 1998, a total of \$32 million dollars has funded 374 projects in all areas of the state. The “stateside” portion of the program has been administered by the Idaho Department of Parks and Recreation. The state of Idaho has not received any money funds since 1995 and future funding remains uncertain (Poulsen 2000).

### **Idaho Department of Water Resources**

The IDWR is in the executive branch of Idaho state government. The IDWR is responsible for administering programs to conserve, protect, develop, and use Idaho’s water and energy resources. The agency is divided into three divisions: Water Management, Planning and Technical Services, and Energy.

### **The Water Management Division**

The Water Management Division is responsible for programs that manage and protect the ground and surface water resources of the state. This responsibility includes water rights administration and the supervision of the state’s watermasters. Resource protection responsibilities include the licensing of well drillers, regulation of well construction, oversight of underground

injection wells, and the Stream Channel Protection Program. The division is also responsible for dam safety and state coordination of the National Flood Insurance Program.

The SRBA is administered through the Water Management Division. The SRBA is an ongoing judicial proceeding that seeks to clarify all existing water rights in Idaho for the Snake River basin and all tributary waters, including ground water. Recommendations for domestic and stock water rights in the Little Salmon River basin were submitted to the SRBA Court in March of 1999. Recommendations for all other water rights in the basin are scheduled to be completed by 2005 (Warntjes 1998, Kelly 2000).

### *Amended Moratorium Order for Salmon and Clearwater River Basins*

On April 30, 1993, the director of the IDWR, under the authority granted under *Idaho Code, Section 42-1805(7)*, issued an Amended Moratorium Order in the Salmon and Clearwater River basins. As a tributary of the Salmon River, the Little Salmon River basin is included in the Moratorium. The moratorium does not apply to domestic use of surface water, ground water, non-consumptive uses, and insignificant consumptive uses are reviewed on a case by case basis. A copy of the Amended Moratorium Order is attached as Appendix F.

### **Planning and Technical Services Division**

The Planning and Technical Services Division provides technical data and information in support of the IDWR’s water administration, management, and regulatory responsibilities. Other division responsibilities include the review and evaluation of water resource issues, concerns, and opportunities raised by federal, state, and private entities. This division provides technical assistance to the Idaho Water Resource Board, including preparing the *Comprehensive State Water Plan*, processing minimum stream flows, evaluating applications for Board funding projects, and overseeing special projects

such as the recent hydropower installation at Dworshak Dam.

### **Energy Division**

The Energy Division is responsible for implementing energy conservation programs and providing technical assistance in high-efficiency technologies and renewable resource generation systems. The division provides these services to energy consumers, producers, and policy makers.

### **Idaho Water Resource Board**

The Idaho Water Resource Board consists of eight members. Board members are appointed by the governor with the advice and consent of the senate. One member is appointed from each of four geographic districts, and there are four “at large” members. No more than four members may be of the same political party (*Idaho Code* § 42-1732). The Board has many responsibilities, including developing the Comprehensive State Water Plan, holding water rights for minimum stream flows and lake levels, and financing water development and conservation projects.

### **Comprehensive State Water Plan**

The Board has the responsibility of formulating, adopting, and implementing water plans for conservation, development, management, and optimal use for the unappropriated water resources and waterways of Idaho in the public interest (*Idaho Code* § 42-1734A). The state water plan is a two-part document. “Part A,” entitled *Idaho State Water Plan*, sets out statewide policies, goals, and objectives for water resources in the public interest. The latest version was adopted in December 1996. The second part of the plan, “Part B,” sets out policies, goals, and objectives that are for a specific river basin, river reach, individual waterway, drainage area, ground water aquifer, or geographic area. *The Little Salmon River Basin Comprehensive State Water Plan* is a Part B component of the *Idaho State Water Plan*. Once a state water plan (Part A or B) is adopted by the Board, it is submitted to the Idaho legislature for ratification.

### **Minimum Stream Flows and Minimum Lake Levels**

The Idaho legislature adopted Chapter 15, Title 42 of the Idaho Code in 1978. This law provides the authority for the Idaho Water Resource Board to appropriate unallocated waters for minimum stream flows or minimum lake levels. The law also describes the procedures the Board must follow to acquire these water rights.

Minimum stream flows are held by the Board in the public interest. As with all water rights, minimum stream flows have priority dates and defined places of use. However, water for these rights is not physically diverted. Instead, the water remains in the stream or lake to protect aquatic life, fish and wildlife habitat, water quality, navigation, transportation, recreation, or aesthetic beauty (*Idaho Code* § 42-1502(f)).

The Board files the water right application with the IDWR. The application describes the stream, amount of water sought, purpose, location, and other information needed to satisfy the requirements of the statute and IDWR. It then typically holds public meetings to gather information and to seek public input.

After receiving the application, IDWR conducts a public hearing, notifying the public, property owners, and water right holders in the area. Following the public hearing, the director of IDWR issues an order denying or approving the application. All minimum stream flows or minimum lake level water rights approved by the Director must be submitted to the Idaho legislature. The application is considered approved by the legislature unless it acts to deny it by the end of its regular session (*Idaho Code* § 42-1503).

### **Water Resource Funding Programs**

The Board’s Water Resource Funding Programs provide funds to plan, design, construct, improve, and rehabilitate water projects that promote the efficient and effective use of Idaho’s water resources. Funding is in the form of grants, low interest

loans, and revenue bonds administered through one of two programs: the Revolving Development Fund and the Water Management Account.

Funding is available for projects or studies associated with community/municipal water supply and delivery, wastewater collection and treatment, irrigation water supply and delivery, aquifer recharge, energy production and energy conservation involving water, aquaculture water supply and delivery, flood control, drainage, water-related recreation, fish and wildlife enhancement, and water quality improvement. Projects must be in the public interest, compatible with the state water plan, economically and technically feasible, and environmentally acceptable.

More than 400 water development, conservation, and management projects and studies in Idaho have received financial assistance from the Board; nine are in the Little Salmon basin. Six involve municipal/community water supplies and the others are associated with Brundage Reservoir. Figure 26 summarizes the projects and studies in the basin that have received financial assistance from the Board.

### **Water Supply Bank**

*Idaho Code § 42-1761* provides for the creation of a water supply bank. The statute allows the Board to purchase, lease, accept as a gift, or otherwise obtain rights to natural flow or stored water, and to credit them to a water supply bank. These water rights may then be rented from the bank for other uses. There must be no injury to other water rights, the new use cannot result in an enlargement of the water right, and the new use must be in the public interest. Requirements to file an application for the transfer of a water right may be suspended for rights rented from the Bank. Forfeiture issues are also suspended for the time a water right is in the Water Supply Bank.

### **Idaho Soil Conservation Commission**

The Idaho Soil Conservation Commission was created in 1939 by the Idaho legislature. The Commission consists of five members

appointed by the governor to staggered five-year terms. It provides support and service to Idaho's 51 Soil Conservation Districts for the use and enhancement of soil, water and related resources, and administers general funds appropriated by the Idaho legislature to Soil Conservation Districts to implement resource conservation practices (Idaho Soil Conservation Commission 1999).

### **Soil and Water Conservation Districts (Soil Conservation Districts)**

Soil Conservation Districts (SCDs) are a sub-unit of state government managed by a local board of supervisors, who, in turn, are elected by local voters. The districts are dedicated to conserving renewable resources and using sound management practices. They promote clean water and productive soils. Districts strive to ensure that decisions on conservation problems are made at the local level.

There are two Soil and Water Conservation Districts in the Little Salmon River basin. The Idaho SCD and the Adams SCD. The districts work with landowners on a voluntary basis to address natural resource management in a site-specific manner. Their activities help landowners and operators control soil erosion on irrigated cropland, range and riparian areas, and improve water quality and wildlife habitat. These objectives are accomplished with the aid of several collaborative efforts involving the NRCS, the Idaho Association of Conservation Districts, the Idaho Soil Conservation Commission, and the DEQ (Idaho Soil Conservation Commission 1999).

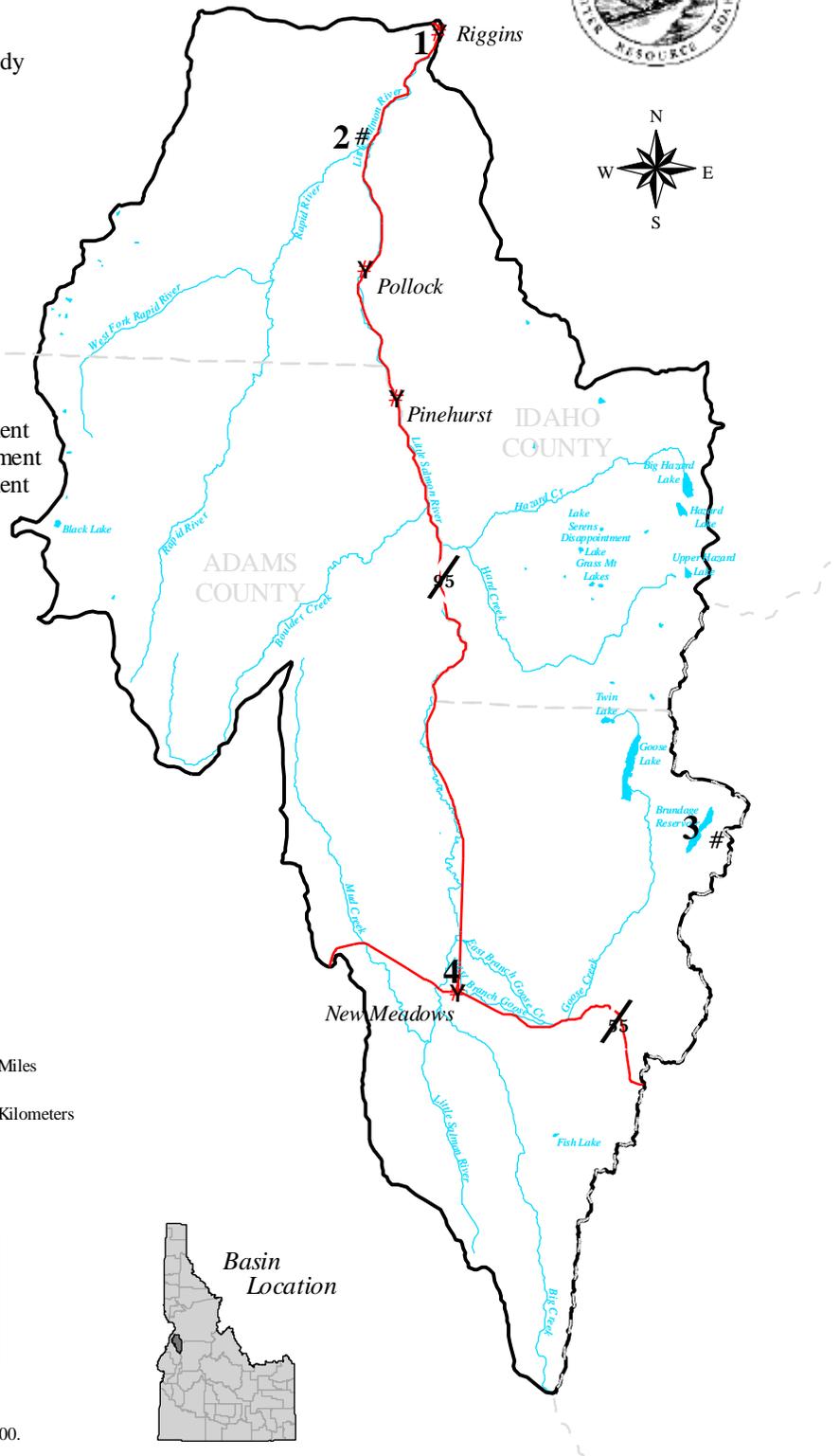
### **The Model Watershed Project**

Idaho's Model Watershed Project was established as part of the Northwest Power Planning Council's plan for salmon recovery in the Columbia River Basin. The council gave responsibility for developing the project to the Idaho Soil Conservation Commission. The Soil Conservation Commission receives annual funding from Bonneville Power Administration to operate

SUMMARY



- 1 City of Riggins  
1984: \$23,959 Grant; Irrigation canal repair  
1994: \$5,000 Grant; Water system upgrade study
  
- 2 Rapid River Water and Sewer District  
1992: \$2,500 Grant and \$2,500 Loan;  
Water system compliance study  
1998: \$5,000 Grant and \$5,000 Loan;  
Water system upgrade study
  
- 3 Brundage Water Users Association  
1983: \$50,000 Loan; Brundage Dam enlargement  
1986: \$250,000 Loan; Brundage Dam enlargement  
1987: \$67,000 Loan; Brundage Dam enlargement
  
- 4 City of New Meadows  
1995: \$5,000 Grant; Water system improvement study  
1997: \$5,000 Grant; Cost over-run on water system improvement project



	Cities
	Major Water Bodies
	Major Roads
	Basin Boundary



SCALE = 1 : 375,000

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Map date: 12/18/00  
Source: IDWR, Idaho Water Resource Board, 2000.



Figure 26. Map depicting locations and funding assistance received by various entities in the Little Salmon River basin.

the project. The Commission's mission is to:

- identify actions within a watershed that are planned or needed for salmon habitat, and
- establish a procedure for implementing habitat improving measures (Swift 1991).

### ***Idaho Transportation Department***

The Idaho Transportation Department is an executive agency in state government. The department's mission is "to provide cost-effective transportation systems that are safe, reliable and responsive for the economical and efficient movement of people and products" (Idaho Transportation Department 1999b).

### **Transportation Projects in the Little Salmon Basin**

The Idaho Transportation Board has identified and approved the right-of-way for the McCall Alternate Route (Clogel 1999). This road will create a bypass for State Highway 55 to the south and west of the city of McCall. When this road is completed, access to New Meadows Valley will be easier for travelers headed north on Highway 55. It will also provide another access route to the recreation area at and around Brundage Mountain. No date has been set for completion of this project.

The department is completing the Hazard Creek to Pinehurst project. The project is a realignment of Highway 95 in the Little Salmon River canyon, from section 2 to section 22, Township 21 North, Range 1 East. The project includes six turnouts along the highway.

Three additional projects in the basin are within ITD's planning horizon. Two of the projects are on U.S. Highway 95: Smokey Boulder Road to Hazard Creek (mile post 170-174) and Cox's Ranch to Riggins (mile post 190-196). The third project is the repair/replacement of the Rapid River bridge (Clark 1999).

Projects are constrained by the resources available to the agency. For instance, the Smokey Boulder Road to Hazard Creek project is estimated to cost \$14 million. Cost and a lack of suitable alternatives constrict the department's ability to relocate Highway 95 completely out of the drainage (Clark 1999).

In the course of designing projects, Idaho Transportation Department analyzes soil and geologic stability for the project area. While usually not available as a stand-alone document, the information and data can be obtained by contacting the Idaho Transportation Department in Boise.

### **6.1.2 Tribal Planning and Management Programs**

In 1996, the four Columbia Basin treaty tribes (Nez Perce, Umatilla, Warm Springs, and Yakama) along with the Columbia River Inter-Tribal Fish Commission, developed a fish restoration plan, the *Wy-Kan-Ush-Mi Wa-Kish-Wit*, Spirit of the Salmon. It is a two-volume plan; the first volume describes the existing cultural, biological, legal, and institutional environments and lists broad recommendations. In the second volume, specific recommendations for subbasins within the Columbia River watershed are listed and discussed.

The tribes seek to restore all anadromous fish stocks above Bonneville Dam. There are 11 institutional recommendations, 13 technical recommendations, and watershed or subbasin-specific recommendations in their plan. Eight recommendations are specific to the Salmon River basin, of which the Little Salmon is tributary. The recommendations regard diversions of water, protection of the physical integrity of stream and riparian systems, the development of water quality standards, and new broodstock programs, including the restoration of lamprey populations. The *Plan* goes on to describe specific actions that are recommended to assist in the implementation of the recommendations (Columbia River Inter-Tribal Fish Commission 1995).

The Nez Perce Tribe is an active partner in fisheries restoration efforts. The tribe provides technical and financial assistance for projects, usually working on watershed-scale projects in coordination with government agencies and private landowners (McGowan 1999).

### **6.1.3 Local Government Planning and Management Programs**

The direction and character of future community development is strongly influenced through county and municipal planning and zoning decisions. Comprehensive plans contain goals and policies directing the desired land uses and activities in the cities and counties, which are then implemented through ordinances. Planning studies are also commissioned to inventory and provide recommendations for updating municipal services, including water and sewage systems.

*Idaho Code, Title 67, Chapter 65*, the “Local Land Use Planning Act,” requires all local governments and special purpose districts to develop land use plans that further the goals stated in the law. The purpose of the law is to promote the health, safety, and general welfare of the people of the state of Idaho. Specific goals include the protection of important environmental features of the state and localities (§65-6502(d)), development on land is commensurate with the physical characteristics of the land (§65-6502(h)), and protection of life and property in areas subject to natural hazards and disasters (§65-6502(i)).

#### **Adams County**

##### **Adams County Comprehensive Plan**

The Adams County Comprehensive Plan was completed in June 2000. The plan identifies the county’s goals, objectives, and policies for its water resources. The goals include participation in planning for future water usage, protection of water quality, identification of potential storage reservoir sites, and the protection of water rights for traditional uses (Adams County 2000).

The plan also discusses the effects of land use planning and federal regulatory intervention on the county’s water quality, the SRBA, and the current effort by the Payette National Forest to issue Ditch Bill Easements to water users. The county supports these efforts, recognizing that domestic well supplies must be protected from contamination, that the SRBA will help owners to protect their water rights, and that Ditch Bill Easements will record and protect diversions and conveyance structures located on federally-managed land. In addition, the plan supports land use regulations that “...ensure the long-term health, safety, and welfare of the public” (Adams County 2000).

##### **Land Use and Development Regulations for Adams County**

Section G of the Adams County floodplain ordinance states that “No structure constructed, reconstructed or altered shall be located within an area designated as floodplain as provided in the Comprehensive Plan ...unless the requirements of this section can be met.” Section G also includes discussions of floor elevation, mobile homes, sewage and water systems, and setbacks.

##### **Idaho County**

Idaho County does not have a comprehensive plan, but does have a subdivision ordinance covering new septic systems. The county participates in the federal Flood Insurance Program.

##### **Idaho County Model Flood Damage Prevention Ordinance**

Idaho County’s flood ordinance complies with standards for participation in the National Flood Insurance Program. The model includes standards and provisions that encourage sound floodplain management and, if implemented, will allow property owners to obtain flood insurance at a more affordable rate. The model makes recommendations about residential construction, floor elevation, elevation to base flood elevation, and foundation construction.

## **City of New Meadows**

### **Comprehensive Plan**

New Meadows' Comprehensive Plan was published in November 1995. The plan addresses current and future surface water, ground water, and wastewater concerns of the city. For instance, a section of Little Goose Creek flows through the city and is considered as prime wildlife habitat and a valuable surface water resource to the community of New Meadows (New Meadows 1995).

Water resource goals for the city, identified in the plan, include:

- developing programs for local conservation and utilization of water resources
- considering establishing a wellhead protection policy
- continuing to improve the wastewater infrastructure, and
- considering adopting a storm-water management policy (New Meadows 1995)

## **City of Riggins**

### **Comprehensive Plan**

Riggins' Comprehensive Plan was passed and approved by the city council on September 12, 1994. The plan describes the history of the city and surrounding area and inventories its resources. Goals and objectives are listed for a number of topic areas. Goals and objectives related to the *Little Salmon River Basin Comprehensive State Water Plan* include encouraging energy efficient buildings, actively participating in a program to promote stream bank conservation and beautification, building cooperative relationships with other government agencies, and maintaining a perennial vegetation cover on bare soils.

### **6.1.4 Federal Agencies**

Federal agencies have a number of responsibilities related to the implementation of national goals on the

local level. The presence of federal agencies in the Little Salmon River basin is evidenced by their financial and technical assistance to individuals and local government entities, the public land that they manage, the employment opportunities at agency offices located in or near the basin, and their influence on natural resource management through federal laws.

All actions on federal lands must be consistent with the Pacific Anadromous Fish Strategy (PACFISH), Interior Anadromous Fish Strategy (INFISH), and Biological Opinions. PACFISH is an interagency management program for federal lands managed by the U.S. Forest Service or the U.S. Bureau of Land Management within the range of Pacific Ocean anadromous fish. INFISH is similar, but focuses on interior watersheds without anadromous fish. Biological Opinions are issued by the National Marine Fisheries Service (NMFS) or the U.S. Fish and Wildlife Service as a result of a formal consultation process mandated in the Endangered Species Act (ESA). The formal process occurs when a proposed action is likely to jeopardize the continued existence of a species listed or proposed to be listed under the ESA. The Biological Opinions are listed in the discussions below according to the issuing agency.

Numerous laws exist that have elements directing federal land managers to cooperate and coordinate with local and state planning efforts. Some of the most important ones, with respect to comprehensive state water plans include: the Endangered Species Act (ESA), the Federal Land Policy and Management Act (FLPMA), the National Environmental Policy Act (NEPA), and the National Forest Management Act (NFMA).

### **Federal Emergency Management Agency**

The Federal Emergency Management Agency (FEMA) is an independent federal agency, reporting directly to the president. Its mission is to "reduce loss of life and property and protect our nation's critical infrastructure from all types of hazards

through a comprehensive, risk-based, emergency management program of mitigation, preparedness, response and recovery” (Federal Emergency Management Agency 1999).

### **The National Flood Insurance Program**

The Federal Emergency Management Agency administers the National Flood Insurance Program, established in 1968 by the Flood Insurance Act. The National Flood Insurance Program provides flood insurance to property owners residing in communities and counties that participate in the program. Participation requires adoption of floodplain ordinances that contain minimum standards established by FEMA. Both Adams and Idaho counties participate in the National Flood Insurance Program.

Floodplain ordinances regulate structures located in the 100-year floodplain. The 100-year floodplain is an area found to have a one percent or greater chance of flooding in any given year. Requirements include elevating the lowest floor of a structure in the floodplain at or above the base elevation of the floodplain. Sanitary systems and water supply systems must be designed to minimize or eliminate infiltration of floodwaters. Development must not encroach onto the floodway (an area immediately adjacent to a river or stream channel that becomes part of the enlarged stream or river channel during flooding). A participating county or community is responsible for enforcing the floodplain ordinance and for determining that other required permits (federal, state, and local) have been obtained before issuing a development permit.

Flood insurance is required for households in the floodplain applying for federal funds. Any household applying for a mortgage, loan, grant, or other funding insured or regulated by a federal agency must, by law, purchase flood insurance.

FEMA also conducts studies and prepares maps depicting flood hazard information. These maps identify boundaries of the 100-year floodplain and the floodways.

Floodplain mapping was completed for Idaho County in 1991. Adams County received preliminary maps in March 1999, and the county has commented to FEMA regarding changes to improve the maps’ accuracy (Horton 1999).

Additional flood management opportunities are available through FEMA. The Community Rating System program recognizes community efforts that go beyond the minimum floodplain ordinance standards. Credit points are assigned for each additional activity. Based on the total number of points earned, a community is assigned to one of ten classes. Flood insurance premium discounts, ranging from 5 to 45 percent, are based on the rate class the community achieves.

### ***National Marine Fisheries Service***

The NMFS is part of the National Oceanic and Atmospheric Administration that in turn is within the U.S. Department of Commerce. The NMFS administers National Oceanic and Atmospheric Administration’s programs that support domestic and international conservation and management of biological marine resources. The following are Biological Opinions issued by NMFS that may impact actions of federal lands the Little Salmon River basin.

The NMFS issued a Biological Opinion on March 1, 1995, entitled “Land and Resource Management Plans for the Boise, Challis, Nez Perce, Payette, Salmon, Sawtooth, Umatilla, and Walla-Whitman National Forests.” The document was the result of a Section 7 consultation on the effects of the implementation of Land and Resource Management Plans in the Snake River basin. Another Biological Opinion was issued on June 19, 1998, entitled “Land and Resource Management Plans for National Forest and Bureau of Land Management Resource Areas in the Upper Columbia River Basin and Snake River Basin Evolutionarily Significant Units.” These two Biological Opinions should be used in conjunction with each other for proposed actions on federally managed lands (Pisano 2000).

The NMFS issued another Biological Opinion on March 2, 1995, with supplements issued May 14, 1998, December 9, 1999; and February 4, 2000. This Biological Opinion is often referred to as the FCRPS Opinion. It addresses operations of the federal power plants on the Columbia River system, including flow rates, and the effects on anadromous fish species.

### **Habitat Conservation Plans**

In the 1982, the Endangered Species Act was amended by the U.S. Congress to establish a mechanism under section 10(a)(1)(B) that authorizes the NMFS and U.S. Fish and Wildlife Service to issue to non-federal entities a permit for the “incidental take” of endangered and threatened wildlife species. This permit allows a non-Federal landowner to proceed with an activity that is legal in all other respects, but results in the “incidental” taking of a listed species. The Endangered Species Act defines incidental take as take that is “incidental to, and not the purpose of, the carrying out of an otherwise lawful activity.”

A habitat conservation plan must accompany an application for an incidental take permit. A habitat conservation plan is an agreement between the federal agency and the private landowner that permits development while protecting listed species at the same time. The purpose of the HCP is to ensure that the effects of the permitted action on listed species are adequately minimized and mitigated. The permit authorizes the incidental take, not the activity that results in take. The activity itself must comply with all other laws and regulations.

### **Natural Resources Conservation Service**

The Natural Resources Conservation Service (previously the Soil Conservation Service) is an agency within the United States Department of Agriculture. Its mission is to “provide leadership in a partnership effort to help people to conserve, improve, and sustain our natural resources and

environment.” The NRCS works closely with conservation districts and Resource Conservation and Development Councils (RC&Ds) to provide technical and financial support to farmers (U.S. Dept. of Agriculture-Natural Resources Conservation Service 1999). As part of the technical services they provide, the NRCS operates SNOTEL sites, and provides climatic data. This data is available for the public and others to assist in their water management decisions and analysis.

Examples of NRCS programs include the *Public Law-566* and Wetland Reserve Programs. The former program supplies technical and financial assistance to water users to improve water storage and improve irrigation efficiencies. Brundage Reservoir was renovated using funds from this program. The dam project was completed in 1988, and 16 long-term cost share contracts were established with ranchers, covering 6,350 acres of land (Yankey 1999). The Wetland Reserve Program provides similar technical and financial assistance to landowners seeking to improve conditions in wetland areas. The NRCS provided cost share dollars from this program for a riparian restoration project in Meadows Valley. Cooperators included the landowner, the Idaho Department of Fish and Game, and the U. S. Fish and Wildlife Service.

### **U.S. Army Corps of Engineers**

The U.S. Army Corps of Engineers (USACE) is administered under the direction and supervision of the Secretary of the United States Army. Its mission is to “manage and execute engineering, construction, and real estate programs for U.S. Army and Air Force and for other federal agencies as assigned” (U.S. Army Corp of Engineers 1999). The USACE has responsibility for investigating, developing, and maintaining the nation’s water and related environmental resources. Two important programs impacting the Little Salmon River basin are Section 404 of the Clean Water Act, and Section 206 of the 1960 Flood Control Act.

### **Section 404 of the Clean Water Act**

Under this Act, the Walla Walla District of the USACE is responsible for regulating the discharge of dredged and fill material into waters of the United States. This includes most construction activities in rivers, streams, and creeks (both perennial and intermittent); lakes and ponds (including many man-made impoundments); and most wetland areas located in the little Salmon River basin. Permits must be obtained for such activities prior to the start of construction. Permit applications are reviewed to ensure that impacts to such waterways are avoided, minimized and mitigated to the maximum extent practicable. Small, minor projects with minor adverse impacts, both individually and cumulatively, may qualify for authorization under nationwide permits. Over 95% of activities regulated by the Walla Walla District under this program are authorized by nationwide permits. Projects that are determined to have more than minimal adverse impacts must be processed as an individual permit. This involves a more thorough review including the opportunity for comment by the public

### **Section 206 of the 1960 Flood Control Act**

The objective of the Flood Plain Management Services program is to “foster public understanding of the options for dealing with flood hazards and to promote prudent use and management of the nation’s flood plains.” It provides a range of technical services to develop and interpret data on obstructions to flood flows, flood formation and timing and planning guidance all subjects of flood plain management (U.S. Army Corp of Engineers 1999).

### **Section 22, Planning Assistance to States**

The objective of the Planning Assistance to States program is to provide planning assistance to locals to address water resource related problems. The cost shared program can encompass many types of studies including water supply, water quality, water conservation, flood control, floodplain management, and wetlands evaluation.

### ***U.S. Bureau of Land Management***

The Bureau of Land Management is an agency within the U.S. Department of the Interior. The Bureau of Land Management manages about 16,000 acres in the Little Salmon River basin. The agency is responsible for managing federal public lands within a framework of numerous laws, the most comprehensive of which is the Federal Land Policy and Management Act of 1976. The agency must also comply with PACFISH, INFISH, and Biological Opinions

### ***U.S. Bureau of Reclamation***

The U.S. Bureau of Reclamation, an agency of the U.S. Department of the Interior, seeks to protect local economies and preserve natural resources and ecosystems through the effective use of water. The bureau has no direct presence in the Little Salmon River basin. However, the bureau analyzed the impacts of flow augmentation of the Snake and Columbia River systems of an additional one million acre-feet of Idaho water. To assist in this process, the bureau used the resources and data developed by its Snake River Resources Review. The analysis assessed the impacts of using additional water from Idaho rivers, including the Little Salmon River. The analysis was completed in February 1999 (U.S. Bureau of Reclamation 1999).

### ***U.S. Fish & Wildlife Service***

The U.S. Fish and Wildlife Service is an agency in the U.S. Department of the Interior. The mission of the service is to conserve, protect, and enhance fish and wildlife and their habitats. Major responsibilities of the service are protection of migratory birds, endangered species, and certain marine mammals and freshwater and anadromous fish.

The U.S. Fish and Wildlife Service issued a Biological Opinion on August 14, 1998 that addresses bull trout in areas covered by INFISH and PACFISH (the Klamath and Columbia Rivers). A Draft Biological Opinion, “Effects to Listed Species of the Operations of the Federal Columbia River

Power System” was released July 27, 2000, and was developed in close conjunction with the NMFS’ “FCRPS” Biological Opinion (see above). These opinions are intended to result in actions and/or restoration measures to protect listed fish, such as delineating priority watersheds, developing new monitoring protocols for grazing, developing road inventories, and managing unroaded areas (Johnson 1999).

### **Partners in Wildlife Program**

Through the Partners in Wildlife Program, begun in 1987, the U.S. Fish and Wildlife Service provides technical and financial assistance to private landowners that wish to restore wildlife habitat on their land. Under this program, the U.S. Fish and Wildlife Service entered a cooperative agreement in 1996 with a local rancher to fence 20 acres of riparian land in the Little Salmon River basin (Guillory 1999; Dudley 1999). The Idaho Department of Fish and Game is providing cost share funds and volunteers to do plantings along the riparian corridor.

### **U.S. Forest Service**

The U.S. Forest Service is an agency within the U.S. Department of Agriculture that manages the public lands under its jurisdiction. The lands are divided geographically into national forests. Three national forests manage public land in the Little Salmon River basin: the Payette National Forest, the Nez Perce National Forest, and the Wallowa-Whitman National Forest. Cumulatively, the national forests account for over 50 percent of the land in the basin: the Payette National Forest manages 177,286 acres while the Nez Perce National Forest manages 36,521 acres. Hells Canyon National Recreation Area, a portion of which is in the northwest corner of the basin, is administered by the Wallowa-Whitman National Forest.

National Forests must comply with PACFISH, INFISH, and Biological Opinions, as described on pages 76-77. These documents are considered as each forest develops a management plan, as described below. The Forest Service and the Idaho Department of Water Resources also

have a cooperative relationship for forest and comprehensive state water planning, formalized as a Memorandum of Understanding (MOU).

### **MOU – National Forest Planning and Comprehensive State Water Planning**

The Idaho Water Resource Board has an official Memorandum of Understanding with the USDA, Forest Service, regarding cooperative efforts for river basin planning. It affirms a commitment to work to ensure that National Forest Planning and Comprehensive State Water Planning are carried out in a cooperative and coordinated manner, and a commitment to carry out a collaborative watershed evaluation project. This MOU is signed by Paul Brouha, Associate Deputy Chief, National Forest System, and Clarence Parr, past IWRB Chair, August 1, 2000.

### **Forest Service Management Plans**

The National Forest Management Act, as amended in 1976, directs that forest plans “...be revised from time to time when the Secretary finds conditions in a unit have significantly changed, but at least every 15 years.” The forest management plans for the Payette and Nez Perce National Forests are currently undergoing revisions. The revisions will guide all natural resource management activities, and establish management standards, guidelines, and prescriptions for the next ten to fifteen years.

The National Forests in the Little Salmon River basin are in various stages of the planning process. The Payette National Forest is combining its planning efforts with the Boise and Sawtooth National Forests. The combined management group is called the Southwest Idaho Ecogroup. The Ecogroup anticipates release of its final plan by December 31, 2000. The Nez Perce National Forest has started efforts to completely revise its forest plan by October 2002 (U.S. Forest Service 1999). The Hells Canyon National Recreation Area and the Rapid River Wild and Scenic River are administered by the Wallowa-Whitman National Forest.

### **Hells Canyon National Recreational Area**

National Recreation Areas are created the U.S. Congress to ensure that the “Natural beauty, and historical and archeological values are preserved for this and future generations.” The Hells Canyon National Recreation Area was established on December 31, 1975, and is administered as part of the Wallowa-Whitman National Forest (*Public Law § 94-199*). The National Recreation Area includes the Hells Canyon Wilderness Area, the Rapid River Wild and Scenic River, and the Wilderness Study Area.

*Public Law § 94-199* requires that a comprehensive management plan be developed for the Hells Canyon National Recreation Area. A comprehensive management plan was approved in 1982. In 1990, the plan was incorporated into the forest plan for the Wallowa-Whitman National Forest. In December of 1999, the forest issued a *Revised Draft Environmental Impact Statement for a New Comprehensive Management Plan*. Public comments were accepted until June 2000, and will be considered in the development of the Final Environmental Impact Statement.

### **Rapid River Wild and Scenic River**

Although located in the Nez Perce National Forest, the Rapid River Wild and Scenic River is administered by the Wallowa-Whitman National Forest. The entire length of Rapid River and the portion of the West Fork downstream of the Wilderness Area boundary are classified as a “wild” river under the Wild and Scenic Act of 1964. The purpose of the “wild” designation for the Rapid River and the West Fork is to maintain high water quality and to provide recreational opportunities. The Wild and Scenic corridor extends ¼-mile on both sides of the river, encompassing 4,218 acres. Three tracts of private land are located along the corridor (U.S. Forest Service 1981).

### **Interior Columbia Basin Ecosystem Management Project (ICBEMP)**

In response to “critical and large scale natural resource issues in the northwest,”

President Clinton directed the U.S. Forest Service and the U.S. Bureau of Land Management to develop a scientifically defensible and ecosystem-based management strategy for the lands administered by those agencies in the Columbia River basin (Interior Columbia Ecosystem Management Project 1997). The Interior Columbia Basin Ecosystem Management Plan (ICBEMP) will provide resource management direction to the two agencies. Forest goals, desired future conditions, objectives, and standards for management may change for any of the national forest plans because of ICBEMP. The Supplemental Draft Environmental Impact Statement was released in March 2000, with comments accepted until July 6, 2000. Forest plans will be amended when a decision describing the “preferred alternative” is issued. This decision will be made some time after comments have been received and analyzed (Brunelle 1999).

In 1997, the Payette National Forest initiated a review of the Little Salmon River basin, as one of seven “prototype” efforts scattered throughout the Columbia Basin. Due to limited time and procedural uncertainty, the review was not completed. In a 1998 Biological Opinion prepared by National Marine Fisheries Service, the USFS and BLM agreed to conduct subbasin reviews for anadromous fish subbasins. In 1999, ICBEMP prepared a desk guide that provided direction for the content and process to follow during subbasin review.

The Payette National Forest completed the South Fork Salmon River subbasin review in 2000 and is currently working on the Little Salmon River subbasin review. This effort is scheduled for completion in late 2001. The phases of subbasin review are: (1) characterize historic and current conditions for key resource issues in the subbasin; (2) compare broad-scale ICBEMP findings with local, site-specific data; (3) prioritize planning and treatment needs for watersheds; and (4) present opportunities for treatment or further analysis. The USFS review of the Little Salmon River subbasin will utilize information on water quality,

aquatic conditions, and local concerns that are presented in the Idaho Water Resource Board's Comprehensive State Water Plan, Little Salmon River Basin. The Payette National Forest will present additional information on ICBEMP topics, which include fire regimes, fire risk, threatened and endangered animal and plant species, vegetation trends, wildlife habitat conditions, and cultural resources.

### **Human Resource Programs**

The Forest Service has numerous volunteer trail maintenance programs. The Forest Service supplies materials, supplies, and guidance (Becker 1999). These programs help to maintain recreation access, including access to angling and boating, on lands managed by the National Forests.

### **6.1.5 Cooperative and Miscellaneous Programs**

#### ***Flood Control Districts***

There are no flood control districts in the Little Salmon River basin. *Idaho Code, Title 42, Chapter 31*, provides for the formation of flood control districts. A flood control district is a taxing entity that seeks to pool revenues to address flood management issues in the district.

The establishment of a district is initiated when one-third or more of the qualified voters residing in the proposed district present a petition to the IDWR. The director of the IDWR then holds a public hearing where the petition and corresponding map of the proposed district are made available to the public. The director then files a report with the district court that either recommends formation of the district or denies the petition. The director also nominates district commissioners. The district court must approve the formation of the district and the commissioners.

The commissioners set the amount of funds that will be collected from the property owners in the district. The commissioners may also exercise the power of eminent domain, and convey rights of way or

easements over district property. However, flood control districts are not empowered to make land use decisions other than on district property.

Collected funds are used to manage the effects of floods in the district. Traditionally, districts have used their funds to install bank barbs, berms, or to remove gravel. However, commissioners are given broad latitude in their activities, and other flood management solutions may be sought in the future.

#### ***Idaho OnePlan*** ***(<http://www.oneplan.state.id.us>)***

The Idaho OnePlan is a cooperative project of state and federal agencies, commodity groups, and associations to streamline farm and ranch planning for Idaho's agricultural producers. Governor Philip E. Batt formally initiated the Idaho OnePlan by signing an interagency agreement at the 1996 Idaho Ag Summit. The participating groups, including the IDWR have gathered agricultural program information and regulations to create the Idaho Farm and Ranch Resource Center.

The Idaho Farm and Ranch Resource Center offers a library of links to other agriculture sites on the World Wide Web. The Center also offers self-help EZGuides to assist in identifying programs or regulations that may apply to farm or ranch operations. These guides are being used to create the OnePlan Process, an interactive, online program for assessing resource concerns and creating a single, voluntary multiprogram plan that satisfies all agencies. Ultimately, the creators of the OnePlan hope to reduce the conflicts, duplications, and inefficiencies among the various agency regulations and services.

#### ***Idaho Rural Partnership***

The Idaho Rural Partnership is a public organization located in Boise. It was created in 1991 by Executive Orders from both the President of the United States and the Governor of Idaho. Idaho Rural Partnership is a partnership between public, private, and government agencies that identifies, discusses, and takes action on issues of

importance to rural Idaho. Idaho Rural Partnership maintains a referral center to help match rural problems with the appropriate resources, and can undertake projects that meet its mission and goals.

***Little Salmon Watershed Alliance, Inc.***

The Little Salmon Watershed Alliance, Inc. was an Idaho nonprofit corporation, organized in 1997, and comprised of residents of the Little Salmon River basin. On June 26, 1998, the Alliance formally asked the IDWR to undertake a survey of the water and related resources in the watershed. As a result, the Idaho Water Resource Board decided to complete a Part B *Comprehensive State Water Plan* for the Little Salmon River basin. The Little Salmon Watershed Alliance, Inc. is no longer active according to the Idaho Secretary of State.

***Local Government Assistance Network  
(<http://lgean.org>)***

The Local Government Assistance Network website has been developed and is maintained by The International City/County Management Association, with the assistance of a number of public and private organizations. The site is intended to provide access to current information about environmental management, planning, and regulatory information.