AGENDA

WATER RESOURCE PLANNING COMMITTEE
MEETING NO. 5-14

October 23, 2014 at 1:30 pm

Springhill Suites Marriott
Grand Teton Room
1177 South Yellowstone Highway, Rexburg, ID 83440

1. Welcome and Introductions
2. Fall River Fishery Enhancement Project
3. Statewide Aquifer Stabilization Effort Prioritization
4. Public Comment
5. Adjourn

Committee Members – Jeff Raybould (Chairman), Albert Barker, Chuck Cuddy, Bert Stevenson, Pete Van Der Meulen

Americans with Disabilities

The meeting will be held in facilities that meet the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations to attend, participate in, or understand the meeting, please make advance arrangements by contacting Department staff by email Mandi.Pearson@idwr.idaho.gov or by phone at (208) 287-4800.

Memorandum

To: IWRB Water Resource Planning Committee

From: Neeley Miller, IDWR Planning and Projects Bureau

Date: October 23, 2014

RE: Fall River Fish Habitat Enhancement Project

Background

The Henrys Fork Basin Comprehensive State Water Plan was adopted by the Board in 1992 and approved by the legislature in 1993. The Plan designates the Fall River from 100 feet upstream of the Yellowstone Diversion Dam to Kirkham Bridge as a recreational river. Under this designation pursuant to Idaho Code 42-1734A(6) the Plan outlines activities allowed in the 11 miles of the recreational river: *Stream channel alterations are prohibited except those necessary to maintain, improve, or relocate existing utilities, roadways, diversion works, fishery enhancement facilities and managed stream access facilities; for the maintenance of private property; for new off-stream storage projects; and for public agencies to construct public access facilities and fishery enhancement facilities.*

The Henrys Fork Comprehensive State Water Plan includes a provision that allows individuals or groups to request amendments to the Plan. According to the Plan, the Board will consider requests from individuals to amend a component of the comprehensive state water plan on a case-by-case basis.

Proposed Project

Jay Ellis, a land owner in Teton County, submitted a stream channel alteration permit application in June 2014. Dave Rosgen with Wildland Hydrology designed and engineered the proposed project. According to the Joint Application for Permits submitted by Ellis and Rosgen the purpose of the project is fish habitat enhancement.

Comments

Steve Schmidt, regional supervisor with the Idaho Department of Fish and Game provided comments on July 1, 2014. In the letter Mr. Schmidt states:
As the state agency responsible for fisheries management, IDFG does not recommend un-natural modification of the reach based on the justification of fisheries enhancement. We recommend that the reach be left in its current functioning state mid-channel and be modified only in the instance of protection of real property (bank stabilization as proposed) should in-stream work be permitted.

September IWRB Meeting

At the September Board meeting Mr. Dave Rosgen presented information regarding the proposed project. There was discussion among the Board members regarding the process for amending a component of the plan. The Board moved to table this item until the Office of the Attorney General could provide guidance on the amendment process for the Henry's Fork Basin Comprehensive State Water Plan.

Harriet Hensley, Deputy Attorney General, is here today to provide an update on this item.

October 22, 2014

Water Resource Planning Committee
Idaho Water Resource Board
322 East Front St.
Boise, ID 83720

Comments on Joint Application 21-20059, Fall River Fishery Enhancement

The Henry's Fork Foundation (HFF) is a 501(c)3 nonprofit organization based in Ashton, Idaho. Founded in 1984, the HFF is the only organization whose sole mission is to conserve, *restore*, and *protect* [emphasis added] the unique fishery, wildlife, and aesthetic qualities of the Henry's Fork of the Snake River watershed. As part of our routine work, we have reviewed joint permit application 21-20059, submitted by Fall River 5 LLC and Wildland Hydrology. The stated purpose of the proposal is fish habitat enhancement in a reach of Fall River that flows through property owned by Fall River 5 LLC. This portion of Fall River lies within a river reach designated in the State Water Plan as "Recreational," in which alteration of the channel by a private entity for fishery enhancement is specifically prohibited without an amendment granted by the Idaho Water Resource Board. Because such an amendment has been requested, we feel obliged to comment.

Given our mission, HFF periodically participates in riparian and fishery habitat improvement projects, some of which include features similar to those being proposed on Fall River. Therefore, we are not opposed to such projects in principle. However, the vast majority of our work is focused on *restoration*, such as improving degraded habitat, restoring fish passage at dams and other artificial fish migration barriers, and working collaboratively with water users and government agencies to maintain or improve hydrologic regimes in river reaches that are affected by storage and diversion of water for irrigation.

As part of the *protection* component of our work, we take actions, when and where necessary, to ensure that unaltered stream reaches in the watershed remain that way. As is stated in the permit application, the proposed project lies in a reach of Fall River that has experienced very little alteration due to human activities. One small irrigation canal and one small storage reservoir lie upstream of the project reach, but these facilities alter stream flow by only a few percent. Except for a small private parcel immediately upstream of the project reach, the rest of the upstream drainage area lies in the Caribou-Targhee National Forest or in Yellowstone National Park. Quoting directly from the project description [page 1],

> "Past land use impacts appear to have had minimal adverse impacts on the river…"

Thus, in the project proponent's own words, the project reach has experienced little alteration. If approved, the proposed project will, in fact, alter the stream channel in a river segment in which neither flow nor physical habitat has been appreciably altered. Therefore, we recommend against issuance of a permit to conduct the channel alterations proposed in application 21-20095.

We would also like to emphasize two particular aspects of this project that the Board should consider: 1) there is no evidence that the current channel condition has resulted from land- or water-use activities; and 2) the stream bank stabilization component of the project was presented to the Board at its September meeting in a different light than was described in the original proposal.

With regard to channel geometry, we acknowledge the expertise and vast experience of Wildland Hydrology in conducting assessments of stream channels and in designing and constructing channel modifications to restore or enhance fishery, riparian, and other resource values. We concur with all of the technical information presented in the project proposal. In particular, we agree with the assessment that width-to-depth ratios are very high in the project reach and that channel complexity is very low. However, there is little to no evidence presented in the proposal to suggest that these channel features have resulted from human activities. The only evidence presented is that width-to-depth ratio at a "reference reach" upstream is lower than that in the project reach. This reference reach is at the location of USGS gage station 13046995, about two miles upstream. There is no quantitative justification given for considering the USGS station cross section as a "reference" for the project reach. Local geologic and geomorphic conditions unrelated to human activities could easily account for the difference in width-to-depth ratios. High width-to-depth ratios characterize most of Fall River from the project reach to its confluence with the Henry's Fork, except for a confined canyon reach in the vicinity of the Marysville Hydroelectric Project and an active alluvial-channel reach in the lower two miles of the river. In fact, width-to-depth ratios elsewhere on Fall River can exceed 100, over twice that measured in the project reach [Bayrd, 2006, M.S. thesis, Idaho State University]. Bayrd also observed the same general lack of channel complexity in another reach of Fall River as that observed in the project reach, suggesting that the project reach may not be much different from other reaches of the river. The absence of convincing quantitative evidence that channel characteristics in the project reach have resulted from human alteration form the basis for our opposition to in-channel modifications.

Secondly, we would like to point out that the project and its justification were presented to the Board differently than they were presented in the original proposal. The presentation made to the Board in September listed three objectives, 1) "enhance fish habitat", 2) "reduce streambank erosion," and 3) "improve and expand the riparian corridor." However, the original proposed did not list either streambank stabilization or riparian corridor enhancement as project objectives. Furthermore, the September presentation stated that "This area and the riparian corridor has been grazed heavily by livestock," whereas the original proposal stated that "Livestock grazing impacts along the upper reaches of the riparian corridor of Fall River appear to be negligible" [page 3 of project description]. These inconsistencies raise questions about how the project is being presented to the Board. However, both the original proposal and the September presentation to the Board identified the need to address an erosion issue in the vicinity of the house (Figure 19 on page 17 of the proposal), and we are not opposed to work along the streambank and in the riparian area to minimize erosion, if there is a legitimate need to do so.

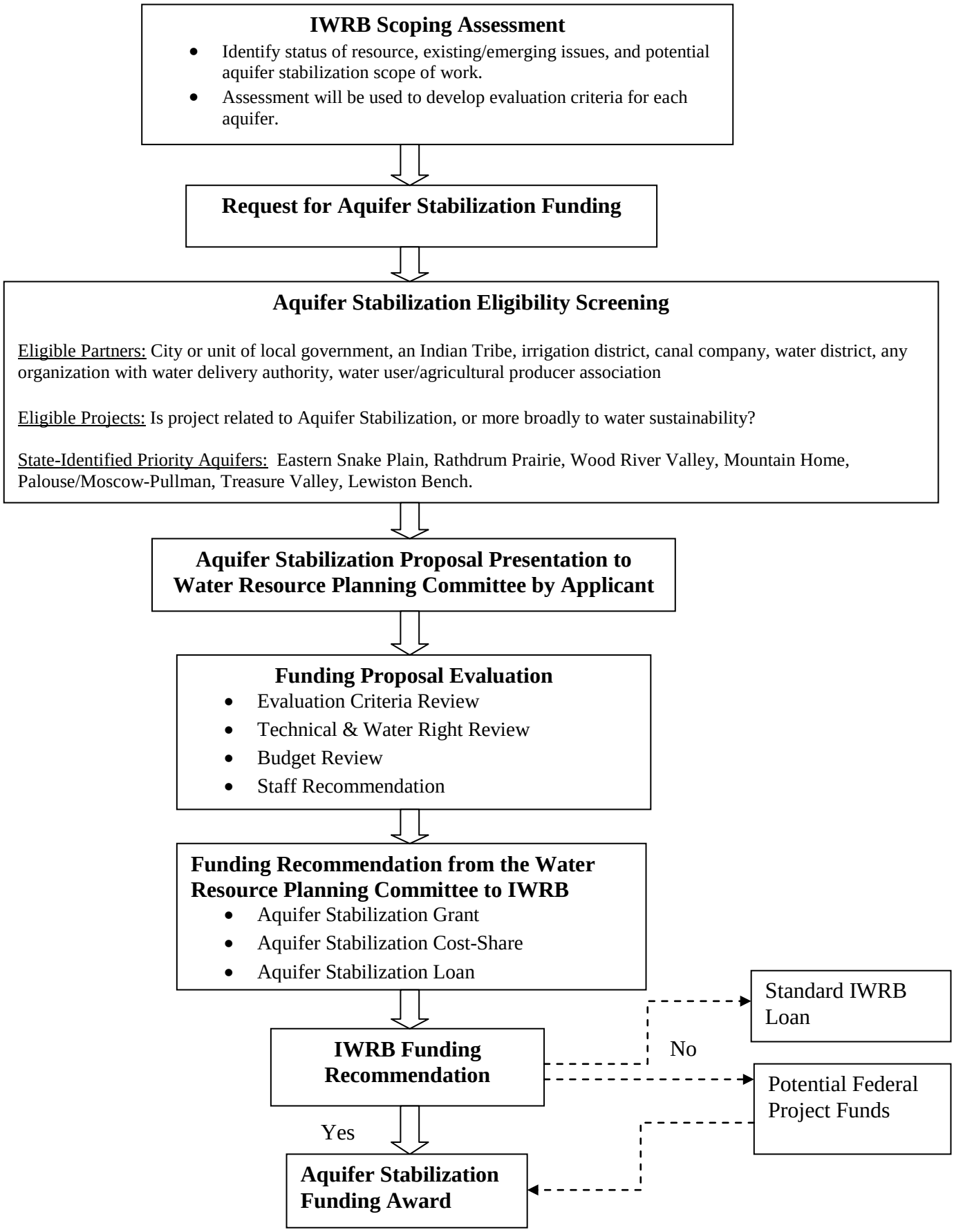
In summary, we oppose modification of the channel itself because no quantitative evidence has been provided that the current condition of the channel has resulted from alterations due to land- or water-use activities. However, we are not opposed to localized work along the streambank and in the riparian area to stabilize what appears to be a short segment of eroding bank near the house.

We appreciate the opportunity to comment on this proposal.

Respectfully submitted,

Brandon Hoffner
Executive Director

Rob Van Kirk, Ph.D.
Senior Scientist


IWRB Scoping Assessment
Identify status of resource, existing/emerging issues, and potential aquifer stabilization scope of work.
Assessment will be used to develop evaluation criteria for each aquifer.
Request for Aquifer Stabilization Funding
Aquifer Stabilization Eligibility Screening
Eligible Partners: City or unit of local government, an Indian Tribe, irrigation district, canal company, water district, any organization with water delivery authority, water user/agricultural producer association
Eligible Projects: Is project related to Aquifer Stabilization, or more broadly to water sustainability?
State-Identified Priority Aquifers: Eastern Snake Plain, Rathdrum Prairie, Wood River Valley, Mountain Home, Palouse/Moscow-Pullman, Treasure Valley, Lewiston Bench.
Aquifer Stabilization Proposal Presentation to Water Resource Planning Committee by Applicant
Funding Proposal Evaluation
Evaluation Criteria Review
Technical & Water Right Review
Budget Review
Staff Recommendation
Funding Recommendation from the Water Resource Planning Committee to IWRB
Aquifer Stabilization Grant
Aquifer Stabilization Cost-Share
Aquifer Stabilization Loan
IWRB Funding Recommendation
No
Standard IWRB Loan
Potential Federal Project Funds
Yes
Aquifer Stabilization Funding Award

Statewide Aquifer Stabilization

Neeley Miller, Planning and Projects Bureau

October 23, 2014

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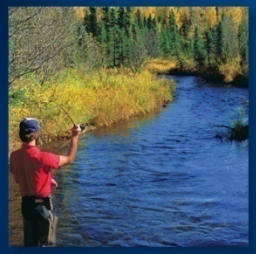
Water Resource Board

Aquifer Stabilization Funding HB547

- Directs $5 million annually to the Idaho Water Resource Board for statewide aquifer stabilization
- Funds had been used to pay for Capital renovation project – paid off this year
- Will receive 1st disbursement in July of 2015
- First priority is Eastern Snake Plain Aquifer, but other aquifers also have needs
- Sponsored by Speaker of the House, approved by 2014 Legislature

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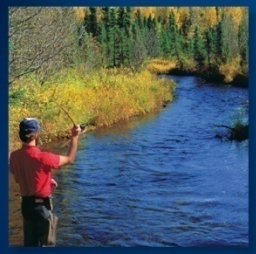
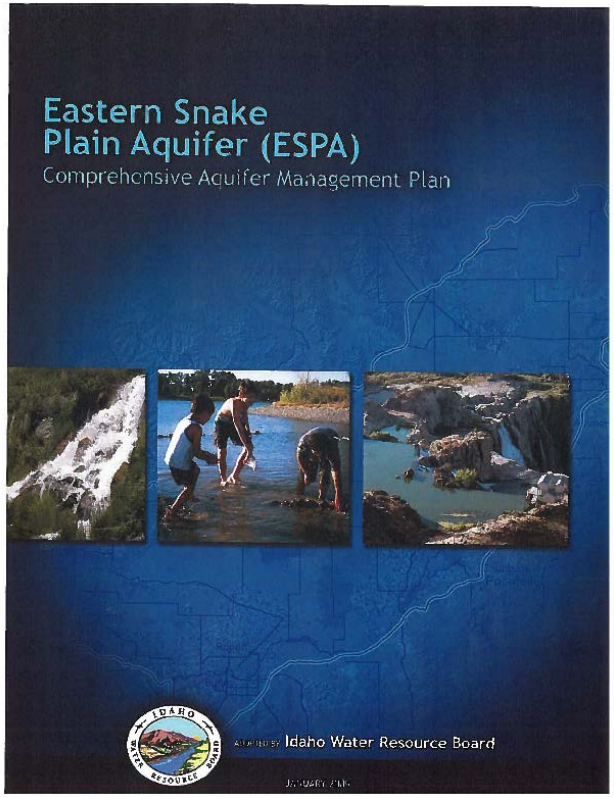


First Priority… ESPA

- The Eastern Snake Plain Aquifer has been identified as the first priority for the Board's statewide aquifer stabilization effort.



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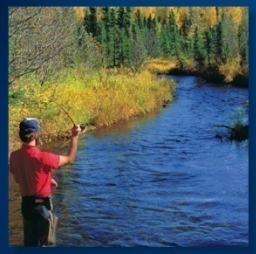


ESPA Comprehensive Aquifer Management Plan

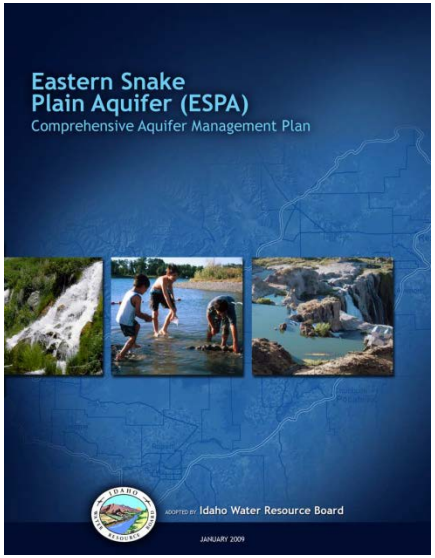
✓CAMP lays out a goal for ESPA stabilization and recovery (water budget change) through a series of management actions

✓Phase 1 of CAMP (200-300 KAF water budget change) is designed to stabilize aquifer storage - this should stabilize spring flows

✓Phase 2 (600 KAF water budget change) is designed to recover some aquifer storage – this should recover some spring flows

✓CAMP funding system not enacted in 2009 when CAMP was approved

✓Progress being made by using some Water Board funds to leverage water user funds and securing federal funds – now have additional funds



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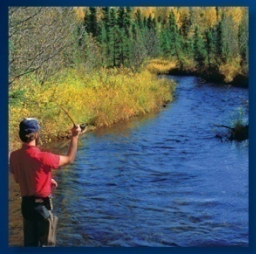
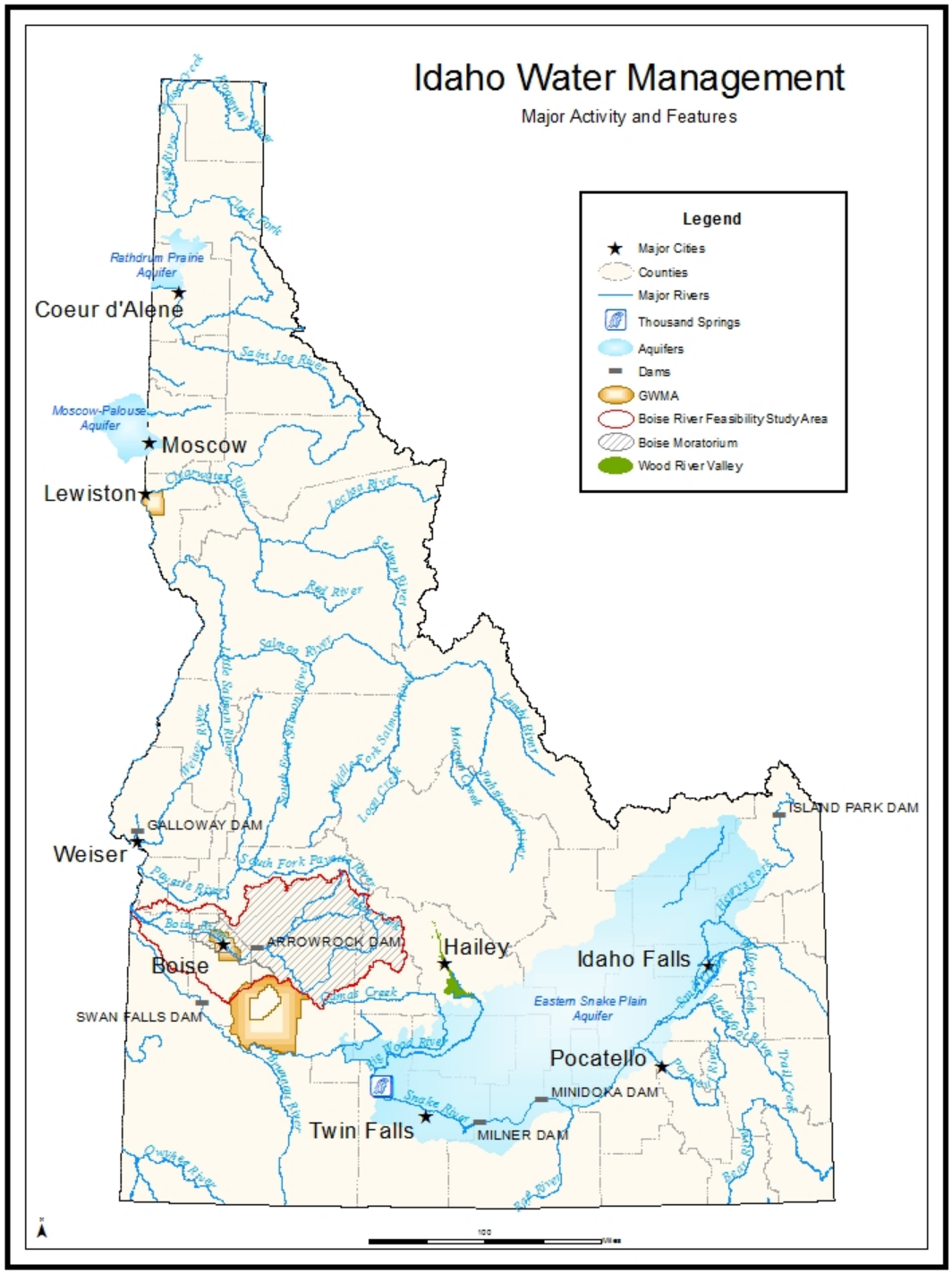


While the first priority for aquifer stabilization is the ESPA, other aquifers in the state also have needs.



- Wood River Valley – transient GW model under development similar to models in ESPA and RPA
- Mt Home – sustainable replacement water supplies for Air Force Base from Snake River & evaluating further use of surface water for aquifer stabilization
- Treasure Valley – transient GW model under development & evaluating use of surface water to meet future needs; new surface storage
- Lewiston Bench – enhancement of aquifer monitoring system
- Rathdrum Prairie Aquifer – determining extent of Idaho's future needs from Aquifer prior to any interstate water conflict with downstream states
- Other areas – Moscow-Palouse Aquifer

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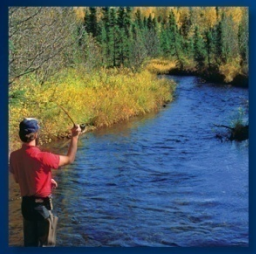

There may be an opportunity for the Board to support aquifer stabilization projects in these aquifers, and potentially others.

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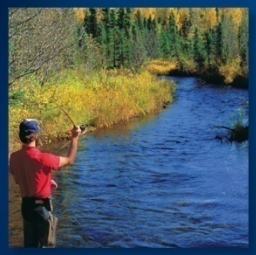

Aquifer Stabilization Prioritization

- Staff has been working to develop a two-track approach for prioritizing aquifer stabilization projects statewide.

- The two-track approach was selected to give the IWRB flexibility to act when needed.

Different paths leading to the same end goal.

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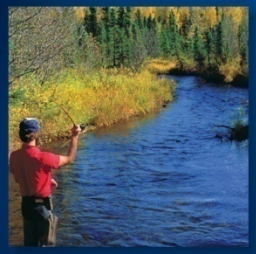

Aquifer Stabilization Prioritization

- The first track would be a Board-initiated approach similar to the Board's use of aquifer stabilization funds to enhance recharge activities on the ESPA where the Board directly identifies projects and undertakes them to accomplish aquifer stabilization.

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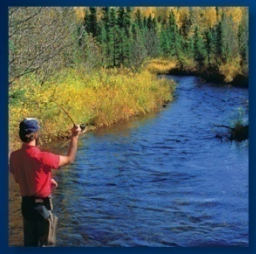

Aquifer Stabilization Prioritization

- For the second track staff is developing a process where the Board could provide aquifer stabilization funds to local aquifer stakeholders to investigate and/or undertake water resource projects that support the stabilization of a State-Identified Priority Aquifer.

- Under this approach, the Board would solicit proposals for aquifer stabilization targeting State-Identified Priority Aquifers.

- Let's take a look at the proposed approach. See flowchart handout.

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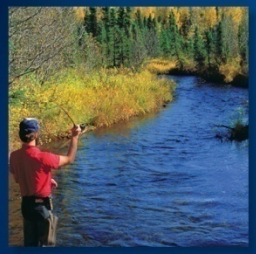


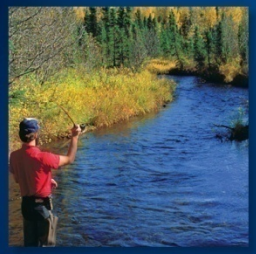
IWRB Scoping Assessment

- Identify status of resource, existing/emerging issues, and potential aquifer stabilization scope of work.
- Assessment will be used to develop evaluation criteria for each aquifer.

•Should a completed CAMP be the threshold for qualifying for aquifer stabilization funding?

•Most State-Identified Priority Aquifers will not have a completed CAMP. Without a CAMP or some other water management plan to guide actions, how do we determine strategies for aquifer stabilization?

•Prior to requesting funding proposals staff could develop a high-level assessment to determine potential status of resource, existing issues/emerging issues, and identify potential elements for plan of study for work on each aquifer.
•Staff could identify several aquifer stabilization indicators to measure the needs of an aquifer.



Request for Aquifer Stabilization Funding

Aquifer Stabilization Eligibility Screening

Eligible Partners: City or unit of local government, an Indian Tribe, irrigation district, canal company, water district, any organization with water delivery authority, water user/agricultural producer association

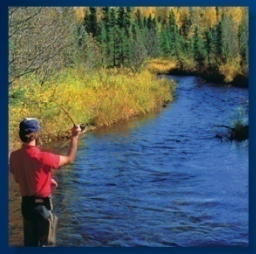
Eligible Projects: Is project related to Aquifer Stabilization, or more broadly to water sustainability?

State-Identified Priority Aquifers: Eastern Snake Plain, Rathdrum Prairie, Wood River Valley, Mountain Home, Palouse/Moscow-Pullman, Treasure Valley, Lewiston Bench.

- Is the list of State-Identified Priority Aquifers sufficient for now, or is there a desire to develop an expanded list?

- Request for proposals (RFP's) could target one specific aquifer rather than multiple aquifers.

- Do we want to consider requests for aquifer stabilization funding for all State-Identified Priority Aquifers at the same time, or address them one by one over several years?

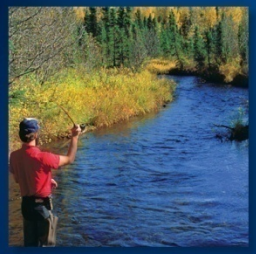
Aquifer Stabilization Proposal Presentation to Water Resource Planning Committee by Applicant

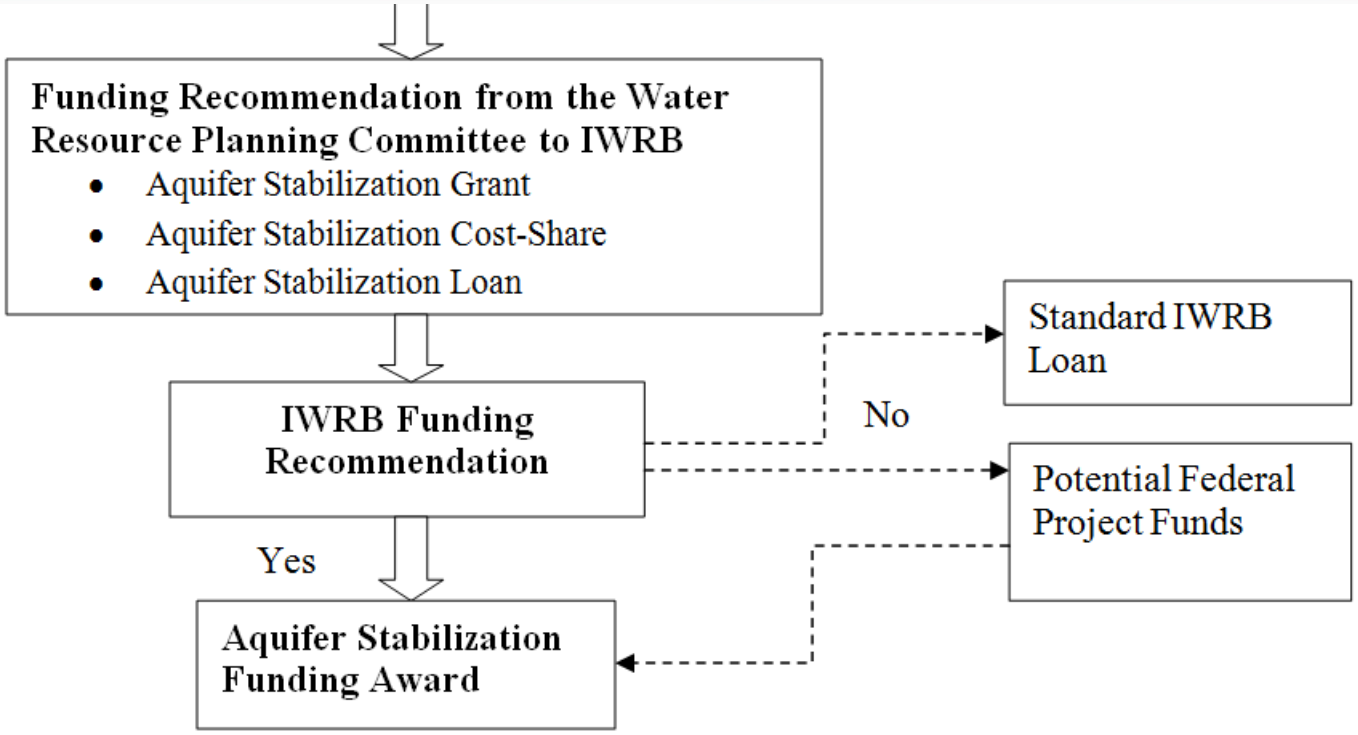
Funding Proposal Evaluation

- Evaluation Criteria Review
- Technical & Water Right Review
- Budget Review
- Staff Recommendation

•The IWRB scoping assessment for each aquifer will be used to develop a criteria for evaluating aquifer stabilization proposals. The scoping assessment will identify status of resource, existing/emerging issues, and potential aquifer stabilization scope of work. Staff-developed aquifer stabilization indicators will help to guide the evaluation.

•CAMP documents will be used to develop evaluation criteria for those aquifers that have completed CAMPs.



•The Board could provide aquifer stabilization funding via grants, cost-share funding, and loans.

•Projects that are not selected to receive aquifer stabilization funding could potentially qualify for standard IWRB loan.

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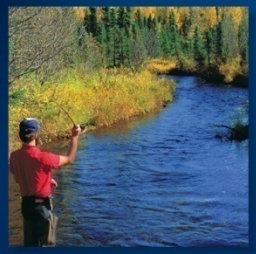

Discussion/Questions?

Ten

Priority

Basins