

Lake Pend Oreille, Pend Oreille River, Priest Lake and Priest River Commission Meeting MINUTES

June 19th, 2019 10:10 am until 1:37 pm

Priest River Event Center, Priest River, Idaho

Commissioner's present: Ford Elsaesser (Chair), Craig Hill, Darrell Early, Linda Mitchell, Kate Wilson, Jason Flory, Molly McCahon (Executive Director). Darrel moved to approve the 03/28/19 minutes. Craig seconded, *the motion carried*.

Ford began by welcoming everyone and recognizing the PR Event Center and the Buck Merritt family who donated this facility to the community of Priest River for public forums and other events. Ford explained that the Lakes Commission was created by statute approx. 15 years ago and most of the board are gubernatorial appointees, volunteers, reappointed by Governor, and confirmed by the Idaho Senate. LC does not administer funds, we do have a budget which pays our operating/office expenses, no compensation for board members, funded annually. Do not administer mitigation funds or BPA funds or other funds of that type. We are an advisory board that makes recommendations to Governor Little and various state agencies. Those recommendations aren't legally binding. Ford introduced both Kate Wilson and Eric Anderson as the being at the head of the curve of the national issue of keeping invasive mussels out of our lakes...everyone copying Idaho who spearheaded the process. Introduced other Commissioners: Linda Mitchell, Craig Hill, Darrel Early, Brent Baker, Marc Brinkmeyer (not present), Jason Flory, and Molly McCahon (Executive Director.)

Ford asked for a motion to approve the minutes; Darrel moved, Brent seconded. Motion passed

Two contractual items up for approval:

Agreement between the LC and Norm Semanko who is representing the commission for the negotiations for the Columbia River Treaty (CRT.) Norm and Molly have been and front and center for the CRT and working with Corp in regarding Lake Pend Oreille lake levels. Motion to approve the agreement; Brent moves, Kate seconds. Motion carries.

Agreement between Bonner Soil and Water Conservation District and the Lakes Commission for the administration of annual funds. Motion to approve the agreement; Brent moves, Darrel seconded. Motion carries.

Presentations

Glenn Kibby

Bonner Soil & Water Conservation District, Watercraft Stations Supervisor

BSWCD operates 3 inspection stations in Bonner County: Samuels, Albeni Falls, and Clark Fork. Mandate from Idaho Department of Agriculture (ISDA) to inspect watercraft for aquatic invasive species (plants and animals) that may 3s to sept 16h dawn to dusk (5am to 9pm) 2 impactors per shift. All inspectors take ownership in protecting our waterways cause harm to Idaho's waters. Glenn administers all three stations and also works as an inspector at Albeni Falls (AF). AF the busy station, Clark Fork the least amount of traffic, but biggest commercial vessels (mid-west and east coast) – a very large boat got stuck in the CF parking lot recently as it is not quite big enough for large vessels. Coordination between all parties involved in transporting watercraft across the country as improved over the years. Samuels now has north and south bound traffic. Everything inspection is documented electronically to ISDA. All inspectors are trained by ISDA in inspection technique, safety, and education. Many inspectors are returning and have been working for the program for years. We have high risk and low risk protocol. Low risk receives a quick interview and inspection. High risk boats are asked to be hot washed. Only justification for a quarantine and full inspection is an invasive mussel on the boat. Most of our boats are local and low risk. Whenever we have a high risk inspection we call the ISDA hotline to obtain instruction on how best to handle the situation. Complex program and we hope to keep our waterways clear and free of invasive species. **Clean Drain Dry** is the motto which is now utilized by surrounding states. Most folks supportive of the program. Sell aquatic invasive species stickers at the stations which are required to launch in Idaho. Q: What do you do about the wake board boats? A: Ask the boat owner to drain the ballast water. Q: Is there a sheriff assigned to stations? A: Yes, they are stationed there when they have the time, which early in the season is more often. Q: Were the barges that bypassed the stations fined? A: Don't know the answer to that, but it doesn't appear pleasure boaters are being fined. ISDA did make communication improvements with commercial haulers following that incident.

Kate Wilson

Montana Upstream Updates: AIS & Water Quality

UC3, Flathead Basin Commission

Kate explained that she works for Montana Department of Natural Resources for two programs; the Upper Columbia Conservation Commission and the Flathead Basin Commission. Remembers back in 2008 when there were no inspections stations. Reminder that two years ago, MT had two detections of veligers. Program went from 1.5 million dollar program to 6 million dollar program. No new detections or adult mussels to date. Program has really ramped up and seen great improvements. Working on sea planes as pathway– online certification required annually for Columbia River States. Benefit from good federal grants in MT. Funding declined in the last year, but those fund matched by Dept. of Interior. 6 months ago Dept of Interior added the Missouri River Basin to that funding so will need to be shared...also working on maybe adding Asian Carp to the target species which could further water's down funding for interested States. Western Regional Panel – hosting a meeting in Missoula in October. MT one of the last states to do economic assessment -234 million dollars cost for mussel infestation. MT inspection requirements

different than ID – boating at either of reservoirs that had detections you inspections are mandatory before you enter any waterbody in MT. All ballast boats that have left the state, or are coming from out of state or crossing the divide need to be hot washed – recommendation to ballast wake surf boaters....keep that boat at home and rent a boat at your destination. Last year was MT biggest inspection year ever. Most stations are run by MFWP but looking to contract with partners. This year to date: 9500 inspections. 8 fouled boats. Legislation last year; 2 funding sources hydro and anglers. This session just ended and now 6 funding mechanisms: AIS fee on fishing license, nonresident boater fee, hydropower fee, a bed tax, and the general fund. Flathead Basin Commission – focused on natural resource protection in the basin. University has state of the art monitoring program in the basin. Will be focusing on septic studies, stormwater inventory and mapping with City of Kalispell, algae studies and CRT. Q: How do sea planes get checked for mussels? A: Very difficult, but have determined that sea plane pilots are very meticulous and don't want any weigh added so are inspecting boats, but no really can't inspect a sea plane before it lands. Q: Can mussels be transporting by vehicles? A: 5 days for a mussel to attach to something, so more concerned with areas with water. Q: Where are they seeing algae problems? A: 41 reported in 2017, not just shallow warm water, but some in deeper colder water. Depends on type of algae and whether it is present in the sediment. Don't have funds to go out and sample each report. Q: Is there pressure on states that have mussels to do the heavy lifting with prevention? A: state with mussels has little incentive to fund prevention, but states are better at communicating now.

Ford introduced Douglas McGreachy the new Marine Lieutenant. Chief lake law enforcement officer.

Erin Plue

Transforming Forest Health

Idaho Forest Group

Erin explained that she works for Idaho Forest Group (IFG) which is a local lumber company, owning 6 mills in Idaho and 1 in MT, producing over a billion board feet of lumber a year. Much of the timber comes from private, state or federal land, as IFG owns only a small % of land and only 1% of lumber from IFG owned land. Erin began by explaining her experience with forest management living and owning property in the Wildland Urban Interface (WUI), which is where urban areas meet wildlands and are at high risk for fire damaging urban infrastructure. Her family implemented a forest management plan to create a forest more resilient to wildfire and as neighbors were educated the WUI she lives in is now more resilience to fire. Erin explained that our forest's growth rate is declining while the mortality rate is increasing. Idaho has 22 million acres of forested land. 14% private land, 6% to the State of Idaho, 4% tribes or municipalities, 76% federal lands. Of the 14 closest federal forests to us, 55% are remote wilderness areas, which cannot be managed due to limited access and approx. 45% is located in an area where we could actually managed and have an impact. Forests we are managing now are not the same forests we were managing in the past. There is a long history of poor management that has put our forests in the conditions they are in now; didn't allow forest to naturally cleaned out, historic poor management (clear cutting, cut best trees, brought in invasive species.) As a result we lost species (White Pine) that are resilient to fires and resistant to disease and insects, and are left with less resilient species such as lodgepole. On top of that the climate is changing. Stressed forests are very vulnerable to all the various negative conditions. Erin pointed out that the conditions that exist now are similar to when the 1910 fires took place.) Of the 22 million acres we have, only 2.3% has burned, but forests in poor condition. N. Idaho is the worse the nation for insect and disease. Montana is right behind us. 70% are in need of fuels restoration: harvest, thinning, prescribed fire (not as usable in our area) There are current studies and observations from local foresters that our area is experiencing drought. IFG cares because unhealthy forest and fires reduce lumber supply, trees sequester carbon and when they burn that is released; as they age they can store less carbon, increased fires impacts our economy, air, water, livelihood, unhealthy forests are not healthy for wildlife and the ecosystem. In Idaho we are intentionally treating 1.2% of acreage that can be managed when 6.1 million acres are at high risk. Solutions being implemented and discussed include:

- Forest Collaboratives' – representatives with diverse interests working toward solutions.
- Good Neighborhood Authority- allows State to partner with Forest Service. \$ generated from timber harvest goes back to management like thinning, culverts, and reforestation.
- Private landowner and managers becoming educated on the problem and how to manage their own forests.
- Idaho agreed to double the amount of acres we treated – Idaho will choose 2 priority landscapes to focus on in the near future. Panhandle high on the list.
- Double all intentional treatments – prescribed fires, mechanical harvest.

A short question answer period took place, but it was too difficult to hear.

Wes Green

Idaho Pollutant Discharge Elimination System

Idaho Department of Environmental Quality, IDPES

Wes explained that the Idaho Pollutant Discharge Elimination System is a new program for the State of Idaho, but has been in development for about a year. Idaho is taking over the permitting process for the federal National Pollutant Discharge Elimination System (NPDES), which is a federally regulating program of the Clean Water Act that regulates point source discharges into surface water. Point source discharges are pollutant discharges that come out of a pipe (waste water, pesticides, and some municipal stormwater.) In the past, the Environmental Protection Agency (EPA) issued these permits for the State of Idaho and now Idaho will be in charge of the permitting process. The intent is that permitting will be quicker, easier to understand, and more locally based. IDEQ representatives will be based regionally and are available to answer questions. State is currently issuing municipal and industrial individual permits. The State isn't currently issuing general permits (storm water, construction, pesticides) and those general permits are currently being developed. For more information on the program you can contact Wes Green at the CDA regional office 208 769 -1422.

Steve Klatt
Outlet Dam and Thorofare
Bonner County Road & Bridge Director

Ford began by reminding the public that the drought conditions of 2015 led to new legislation and funding that supported a new thorofare breakwater and dredging and improvements to the dam. We owe and are grateful to Shawn Keough and other legislative representatives who helped make this possible. Also, that we are looking at similar conditions this year as in 2015 and this a very timely presentation.

Steve talked about how this project was the finest collaborative process and success story that he has seen in his many years in Bonner County politics. Ultimately IDWR eyes were open to how important recreation and water resources are to people and economy in Bonner County. Discussion took place on approaches to drought conditions and improving recreation opportunities in general. State come up with 4.8 million and asked that local pitch in as match. Thorofare breakwater- will be an impervious earthen structure, stone structure – it will shift 50 degrees to the north, the whole design is that it will continuously scour so it doesn't require continual dredging. It will include low growing vegetation, and the whole design is low profile. Steve called Rick Collingsworth up to talk about the dam design. Permit application has been submitted but not permitted yet. Outlet Dam - 2.4 million allocated for the dam, but it isn't enough to do everything – will add extension on existing gates and additional support, but automated gates don't fit it the budget. The statutory requirements increased the allowable lake level in order to allow for addition storage during a dry season and to allow for flows to the Priest River. Scour pad and rip rap and will provide stabilization. High flows in the spring are our toughest times. Steve to keep in mind April to June capable of holding up to 6 inches in low water years. While there is certainly some snow in the mountains there is little certainty that we will have adequate flows. This is a year that we see a similar condition as 2015. Ford: what is the best estimate of when these projects will be completed? Construction of thorofare and Dam hoped to be completed winter of 2021. Craig: is it possible to hold the lake up this year considering low water year. Rick replied that the dam can hold another inch or two...3.1/3.2. Betty Gardener asked why the river had dropped so rapidly in a matter of 2 days. Doug Jones with IDWR came up to answer the question why the PR dropped so abruptly and explained that any drop off would have been from natural reduction in flows, not dam operations. Ford explained that there is a priority water right for the lake dating back to 1957. So there is a balance that is needed to meet lake levels and yet have adequate flows to the river.

Idaho Fish & Game
McMillen Jacobs
Priest River Cold Water Augmentation Update

Kiira Siitari introduced herself as the Communications Specialist for Idaho Fish and Game and explained that she wouldn't be going into detail on the project in order to allow time for the engineers McMillen Jacobs to provide their information. She reminded the audience that the concept, affirmed to be possible by a Portland State University study, is to cool the water in the Priest River by taking cold water from depths (hypolimnion) of Priest Lake. Kiira introduced the engineers with McMillen Jacobs who introduced the concept by explaining that the Lower Priest River currently exceeds the IDEQ cold water aquatic life temperature criterion of 19°C (66°F) in the late summer months. High temperatures negatively impact life-cycles of migratory and resident fish, including native bull and cutthroat trout, as well as the ability to provide fishing opportunities in Priest River downstream. They performed an alternatives assessment with the purpose of determining costs of preliminary alternatives and assessing engineering feasibility for the concept described above. Design constraints included aesthetics, lake level of 3ft on the gauge, temperature, navigation, flows and velocity. The alternatives presented were; gravity fed system, siphon system, groundwater well system, and a pump system. The PowerPoint presentation will be posted on our [website](#) under Presentations and it will show details from of each alternative. Ultimately, the engineers recommended only the gravity fed and ground water systems.

Ford opened the meeting for questions by the commissioner. Ford asked if the pipeline requires dredging in the middle the channel. How would you do that or are you even looking at that yet? Have you seen this kind of project in a very shallow bay anywhere else? Who would you get a permit from? A: The Corp would need to approve and permit and turbidity curtains to keep sediment from suspending. Ford: If we are trying to enhance the fishery for only a period of only 3-4 months. Why would it need year round capacity? A: Year round infrastructure is basically an insurance policy if it is needed and is the best use of the funding as a long term investment. Ford: This is the first time that I have heard of groundwater as an option. What do we know about the resource and the impact of the resource? Water rights are a contentious issue...what is the availability? A: We haven't done enough studies yet and there a lot of questions still to answer on that. Craig: the outlet bay has a lot of bedrock...how would you make room for the pipe? Dynamite? A: We aren't that far along, but we would investigate dynamite...it was difficult to hear the rest of question. Kate asked IDFG whether they might create a task force or advisory group for this. Kiiri replied that there is an open house tomorrow from 3-6pm and we will be taking comments there. We have been throwing that idea around and could be an option in the future. Ford mentioned that there are a lot of people concerned that the siphon might replace a significant about of flow in outlet bay and cause stagnation. How do you avoid stagnation? Engineers replied it would only be concern in extremely low water years, but on an average year in July/Aug flow is 200 cfs. Ford opened the meeting up to the public. Fred Enlow expressed that he is not in support and that the projection of annual benefits is not a good business decision and the economics make no sense. An engineer commented that they are only looking at feasibility, but that they have to follow all the limitation and can't design something that will impact water quality. Betty Gardner expressed that the Priest River is impaired and is need of attention and has algae that appeared years ago because water temps are too high. There is not just an economic reason to do this project, it needs to be done for the health of the river. A member of the public brought up whether tapping into an artesian source could be used. Engineers responded that they are widely dispersed and are difficult to control. Someone commented that the PR has changed dramatically as a fishery over the years and hopes that ideas on how to improve the PR is pursued and they we shouldn't be closed minded about this. Eric Johnson, representing West Side Cabin Owners who are all opposed to the project, commented that this is IDFG pet project and that none of this makes sense and should be put to bed. Another member of the public commented that they support IDFG and finding ways to improve the PR fishery. It was asked whether algae created from low flows at Outlet Bay could flow downstream to the PR and cause algae

problems. The answer was that, algae could flow downstream but it wouldn't necessary thrive in the river if the conditions needed for its survival (low oxygen, low flows, temperature, sediments) didn't exist. Bob Holman commented that he was in support of this project idea and that there absolutely was a trout fishery in the past on the PR and made it into prominent fishing publications, the economic infrastructure, such as guides, hotels, restaurants, roads, exist to support a viable fishery, and that not all West Side Cabin owners are opposed to this project.

Ford closed the meeting and announced the next meeting will be in Sandpoint in September sometime.

The meeting adjourned at 1:37 pm

Approved by:

Lakes Commission Chair

A handwritten signature in blue ink, appearing to be 'R. M.', written over a horizontal line.

Date:

10-4-2019