

FUTURE FISHERIES IMPROVEMENT PROGRAM

REVIEW PANEL MINUTES

SUMMER 2022

Date: June 15-16, 2022

Panel:

In Person: Karin Boyd, David Cope, John Goodwin, Michael Johns, Richard Lane, Mike Newton, Clint Peck, Ron Pierce, Rep. Brian Putnam, Bob Schroeder, Nancy Winslow

Phone: Bill Mytton

FWP staff:

In Person: Michelle McGree, Trevor Watson, Valisa Milligan

Applicants and others in attendance:

In Person: Jed Whiteley, Chris Edgington, Ryan Elliot, Eric Leinonen

Phone: Jim Chalmers, Mike Sanctuary, Jim Olsen, Jim Buer, Jared Krebs, Ron Spoon, Jake Chaffin

Panel business (before project review):

- The agenda was approved.
- Reviewed Future Fisheries balances, staff recommendations.

Panel business (after project review):

- The decision was made to keep funding levels as recommended.
- The Fish & Wildlife Commission will meet in August 2022 to finalize funding awards.
- Discussion on review panel position renewals. Michelle encouraged existing members to reapply.

Application discussions and funding recommendations:

2) Bighorn River side channel reactivation (014-2022)

Amount Requested: \$60,000

FWP Recommendation: We recommend fully funding this project (\$60,000) but request that livestock used be added to monitoring activities to track possible future fencing needs.

Project Representative: Jim Chalmers, Mike Sanctuary

Discussion Items:

- How long does it take to refill after excavation? Will it fill in? In the past it retained its shape and the design should make the side channels self-sustaining.
- Would sediment transfer to other sites or create issues downstream? Do not expect damage from high flow; loads are not high flow and the stream is sediment-starved below Yellowtail Dam. They expect the cobble to accumulate sediment and then vegetation to seal it off.
- Discussion on price of construction materials and excavation. They are an estimate based on experience and a buffer due to the cost of diesel. May need a second piece of equipment to move material. Being conservative with fuel and mobilization.
- Discussion on other sources of funding. AAFTA is the American fly fishing trade association and was awarded (secured).

- Why are tribes not involved? They are more focused on the Little Bighorn, but they are working hard on that front.
- In terms of grazing, there are no expectations for it but they will watch for impacts. Don't expect to see a problem as the substrate is mostly cobbles and there aren't cut banks.
- Monitoring will track flow, macroinvertebrates, redd counts, and use snorkel surveys.
- Irrigation impacts? Virtually no irrigation water from the stream, most is from the dam itself.

Motion: Motion made to fund \$60,000

Motion Made by: Michael Johns

Motion Second by: Bob Schroeder

Panel Action: Karin Boyd abstains, motion passes (unanimous)

Amount Approved: \$60,000

3) Bryant Creek fish barrier (015-2022)

Amount Requested: \$15,000

FWP Recommendation: We recommend fully funding (\$15,000)

Project Representative: Jim Olsen

Discussion Items:

- Match funds are all secure and permits have been submitted.
- Discussion on brook trout and what will happen with them. The brook trout will be treated with rotenone before westslope cutthroat trout (WCT) are restocked. WCT don't overpopulate like brook trout.
- How long will it take WCT to grow and fill habitat? Adult fish will fill the habitat within 5 years. They are typically bigger than brook trout.
- Will this add additional recruitment to the Big Hole? Some, but not expected to be much.
- Why use these cheaper barriers? Smaller streams allow them; essentially they are a stop gap to get as many barriers in as quick as possible to avoid losing populations. Conserving what we have.
- Is the price of lumber locked in? Yes.

Motion: Motion made to fund \$15,000

Motion Made by: Representative Brian Putnam

Motion Second by: Michael Johns

Panel Action: Motion passes (unanimous)

Amount Approved: \$15,000

4) Buer Pond fencing (016-2022)

Amount Requested: \$6,650

FWP Recommendation: Fully fund (\$6,650) but ask that the fence is wildlife friendly. We also ask the applicant to address how weeds will be managed in the area.

Project Representative: Jared Krebs, Jim Buer

Discussion Items:

- Fence will not be electric.
- Lots of water elsewhere for cattle.
- Did the applicant seek riparian fencing funding? Doesn't really apply, more of a fisheries project.
- Will build with three corner posts and use existing fence.

Motion: Motion made to fund \$6,650

Motion Made by: Mike Newton

Motion Second by: Bob Schroeder

Panel Action: Motion passes (unanimous)

Amount Approved: \$6,650

1) Miller Creek restoration MPG (019-2022)

Amount Requested: \$20,700

FWP Recommendation: We recommend full funding (\$20,700)

Project Representative: Jed Whiteley

Discussion Items:

- Discussion on Clark Fork Coalition managing, not MPG. Contracts using Watershed Consulting, who is Rosgen III certified.
- Discussion on beaver; fresh cuttings can be affected by beaver activity. MPG is very pro beaver.
- Discussion on why anglers are not allowed. They have had problems with poaching and vandalism in the past and are very protective of property.

Motion: Motion made to fully fund \$20,700

Motion Made by: Richard Lane

Motion Second by: Mike Newton

Panel Action: Bob Schroeder abstains; motion passes (unanimous)

Amount Approved: \$20,700

5) Middle Fork Judith road decommission and rehab (017-2022)

Amount Requested: \$40,000

FWP Recommendation: Fully fund (\$40,000) but ask the applicant to address the following questions: 1) Who will be doing the construction and oversight? Will a contractor be hired? 2) How will the applicant and USFS enforce the change of use to ensure roads are not rebuilt? 3) Please provide a map or overview summarizing how public use in the area in will change pre-project to post-project.

Project Representative: Chris Edgington

Discussion Items:

- 17 fords and 49 entrances for phase five; 10 crossings will be left. Working with trails person to plan for work. Can't reroute road in every location and need to maintain legal access to inholdings. Public access will be maintained for all parties and partners (Swans family and Circle Bar Guest Ranch).
- Discussion on how to stop people from recreating the routes. Will drill stem pipe and use bedrock features.
- Discussion on monitoring. Clint smith will be monitoring the fishery. Have not done sediment or redd sampling.
- Public comments? Some positive, some negative. More positive overall, including two motorized groups.
- Equipment / mobilization costs high due to remote location and some technical needs. The site is in the middle of nowhere and will require skilled operators because of cliffs and access.
- Contractors have been hired and Chris Edgington / Rob Roberts will oversee project.
- Circle Bar Ranch has provided food and lodging for forest service and volunteers. USFS is also contributing \$57k in salaries (not included in budget).

Motion: Motion made to fund \$40,000

Motion Made by: Nancy Winslow

Motion Second by: Michael Johns

Panel Action: Motion passes (10 Yes, 1 No)

Amount Approved: \$40,000

6) North Boulder fish passage (020-2022)

Amount Requested: \$41,000

FWP Recommendation: We recommend full funding (\$41,000)

Project Representative: Ron Spoon

Discussion Items:

- Will irrigated acreage expand? No. Probably a reduction; expect flow increases.
- How long has the landowner owned the property? At least 60 years.
- Water rights shifted at Jefferson Slough to allow irrigation change. The shift keeps the coldest water in the river.
- Discussion on how water will be protected. Golden Sunlight Mine (GSM) would like a lease, FWP is working on it.
- Discussion on ARPA funds. Recommended for full funding; \$125,000 is likely. Project ranked 5th and has made it through all the processes steps and is waiting to be signed by the Governor.
- Discussion on grade control cost; numbers seem too high. There are a lot of unknowns related to diversion removal. Rowe Excavation is very experienced and gave ballpark on figures. Will go to bid.
- GSM allows fishing and hunting access, 24 hrs/day plus block management.
- What would happen if the project came in under budget? All parties would share savings, although the ARPA funds would not lend themselves to a payback.

Motion: Motion made to fully fund \$41,000

Motion Made by: Karen Winslow

Motion Second by: David Cope

Panel Action: Motion passes (7 yes, 3 no)

Amount Approved: \$41,000

7) Mill Creek fish barrier supplement (018-2022)

Amount Requested: \$62,977

FWP Recommendation: We recommend partial funding (\$50,000). We ask the applicant to address the justification for the supplemental request. *We also note that non-allowable match was removed from the budget and overhead is not an allowed expense.

Project Representative: Jake Chaffin

Discussion Items:

- Will try to implement project in 2023. Usually get a contractor from WY to do the work.
- There are no grazing allotments on site.
- Mill Creek is the largest watershed in the Upper Yellowstone.
- Currently has pure Yellowstone cutthroat trout (YCT), will continue to test with eDNA and genetics. If any hybridization occurs, rotenone will be used.
- Discussion on costs. Concrete costs are high. This location requires a big structure.

Motion: Motion made to fund \$50,000

Motion Made by: Representative Brian Putnam

Motion Second by: Mike Newton

Panel Action: Motion passes (unanimous)

Amount Approved: \$50,000

8) Rock Creek diversion improvements (021-2022)

Amount Requested: \$100,000

FWP Recommendation: We recommend partial funding (\$50,00) as grant funding is limited. We ask that FWP fisheries staff are heavily involved in the final design of the fishway.

Project Representative: Ryan Elliot

Discussion Items:

- Discussion of upstream benefits. Not sure if fish can pass upstream, and project may only open 1.5 mile section of stream. With project, potential discussions with upstream landowners on future projects. Missing big picture of fishery from biologist. Larger scope of project is needed; funding seems premature.
- Project does not include a measuring device on headgate. Publicly-funded projects need to include a way to quantify water rights.
- Discussion on public access. No public access allowed; how much does it help the public vs. private landowner.
- Questions regarding entrainment. Headgate placement appears to take all or most of the stream at certain times of the year, probably entrains fish.
- Panel doesn't see great overall benefit to fisheries at this point, needs to consider fish screen, measuring device, and larger biological implications.

Motion: Motion made to table the request

Motion Made by: Representative Brian Putnam

Motion Second by: Bob Schroeder

Panel Action: Motion passes (unanimous)

Amount Approved: \$0

9) Wilson Creek stream and floodplain restoration (022-2022)

Amount Requested: \$5,460

FWP Recommendation: We recommend full funding (\$5,460), but note that the applicant must follow a competitive bid process if funding is awarded. We ask that the applicant clarify what work is planned for 2022 vs. 2023 and to further describe the expectations from us of PALs and BDAs. How much meandering is expected and necessary to achieve natural stream function? Is the floodplain wide enough to achieve the desired result?

Project Representative: Eric Leinonen

Discussion Items:

- Wilson Creek can be dewatered by irrigation. In process to reconfigure water within company. Concern about restoration if dewatering is an issue.
- Discussed spawning opportunities. Habitat currently not good for spawning, hoping to change that. Best spawning in lower end.

- Discussion on maintenance of BDAs. If there are no beavers, Turner staff will make it a priority to maintain them.
- Obligated to pay landowner? Turner Enterprises will the pay difference if bids come back and they need to use a different contractor.
- Public access is located downstream and not on site.
- What happens if the channel and floodplain expand beyond 65 feet? Will try to stay within the bounds of the pivots.
- Is there a plan beyond this project for Turner? There are water assessments happening across drainages on ranches. Under conservation easement.

Motion: Motion made to fully fund \$5,460

Motion Made by: John Goodwin

Motion Second by: Representative Brian Putnam

Panel Action: Motion passes (7 yes, 3 no)

Amount Approved: \$5,460