

FUTURE FISHERIES IMPROVEMENT PROGRAM

REVIEW PANEL MINUTES

WINTER 2024

Date: December 12 & 13, 2023

Review Panel Attendees:

Clint Peck, Bill Mytton, Mike Newton (Dec 12), Michael Johns (Dec 12), David Cope (virtual Dec 13), Bob Schroeder, Nancy Winslow, Ron Pierce, Senator Tom McGillvray (Dec 12), Representative Wayne Rusk, Bill Semmens (virtual)

FWP staff:

Michelle McGree, Adam Strainer, Elizabeth Youde

Panel business (before project review) 08:00-08:17:

- Introductions, agenda, and schedule breakdown:
 - Presenters get about five minutes; comments addressed through the chair.
 - Funding sources: 1) River Restoration account comes from earmarked license funds (\$0.50/resident license, \$1.00/nonresident license); 2) RIT funds have not created as much funding until recently; 3) General license dollar backfill.
 - Total impact of these projects is about \$8.5 million dollars.
- Financials:
 - Old Authority allocated with last grant cycle.
 - New Authority: \$2 million from legislature.
 - 3 grant cycles remain (including Winter 2024).
 - Need to allocate and spend before the end of 2026.
 - Potential Strategy:
 - \$1 to \$1.2 million Winter 2024.
 - \$500-600k Summer 2024.
 - \$200-300 Winter 2025.
 - 10% of funds can be used for overages (\$200k of \$2 million).
 - Authorized projects that aren't completed within three years either have to request an extension or return funds.
- Overview of funding sources and discussion of authority and funding. Explanation of application review process.

Application discussions and funding recommendations:

1. 008-2024 Flathead Creek streambank restoration. 08:18-08:45

Amount Requested: \$100,375.00

FWP Recommendation: Fully fund (\$100,375.00), but ask the applicant to address:

1. What is "construction" in the budget?
 - a. Excavation, soil disposal, construction oversight.
2. Are there concerns with the excluded property in terms of project success? Is there potential for future work there?
 - a. Not concerned, small section and no treatments due to risks to infrastructure. Improving conditions by improving the floodplain. Can consider willow stakes in the banks.

Project Representative: Bruce Angiolillo (landowner), Ashton Bunce (Montana Freshwater Partners; MFP)

Discussion Items: 08:22-08:45

- Discussion about fencing
 - Construction has already taken place on the south side- orange line on the map. \$10/foot.
 - Fence location was a mistake via landowner, will have to be adjusted.
- Public access?
 - The bridge is the downstream boundary and is public access.
 - Fishing by request; landowner will approve. Signs with phone number.
 - Portion of land is under a Conservation Easement
- Questions on budget.
 - Developed by the engineer.
 - Matching funds source:
 - Landowner fencing and water gap purchases. Volunteer match for willow stakes. Some match from MFP. MFP funds come from foundational grants, clean water act mitigation program offsetting impact.
 - Will other groups be approached for funding?
 - No, haven't done that yet.
- Toxicants listed in the application; primarily sediment and pesticides.

Motion: Motion made to fully fund the project. The panel requests that reduced construction costs would result in a reduced grant reimbursement.

Motion Made by: Nancy Winslow

Motion Second by: Mike Newton

Panel Action: David Cope abstains; motion passes unanimously.

Amount Approved: \$100,375.00

2. 012-2024 Little Casino Creek fish passage. 08:47-09:03

Amount Requested: \$32,625.00

FWP Recommendation: Fully fund (\$32,625.00), but ask the applicant to address:

1. What were the design alternatives considered?
 - a. Evaluated round pipe and bridge (\$120,000+). The concrete box or arch is preferred due to passage and cost.
2. Please provide more information on the culvert design. Does it have an open bottom or natural streambed bottom? If so, what is the horizontal bar in the "elevation view" sheet?
 - a. Yes, depending on final design, it will be embedded.
 - b. Construction schedule: if funded, construction in August/Sept 2024.

Project Representative: Clint Smith (FWP), John Anderson (Fergus County)

Discussion Items: 08:50-09:00

- Budget is minimal.
 - County is handling the bulk of the work, which doesn't show as match.
- Why aren't bridges in a city the responsibility of the city?
 - Bridges in cities and towns are county's responsibility per MT Code.
- Why are we funding a permitting issue?
 - Passage is necessary despite the permit. Choosing an alternative that is the best option that also provides passage. Existing bridge has functioned but it is failing. Can't rehab existing structure due to load weights.

Motion: Motion made to fully fund the project.

Motion Made by: Mike Newton

Motion Second by: Ron Pierce

Panel Action: Yes (6; Mike Newton, Nancy Winslow, Ron Pierce, Bob Schroeder, Representative Wayne Rusk, Senator Tom McGillvray); No (3; Bill Mytton, David Cope, Michael Johns). Motion passes.

Amount Approved: \$32,625

3. 005-2024 Fifer Gulch stream restoration. 09:04-09:23

Amount Requested: \$154,730.00

FWP Recommendation: Partial fund (\$128,730.00), due to unallowed budget items

Project Representative: Alex Leone, Rich Day, Carl Hamming, Chuck Stokke (George Grant Chapter of Trout Unlimited)

Discussion Items: 09:06-09:23

- Ponds will be constructed, do not already exist. They are primarily for wetland or rearing habitat.
- County land; won't be developed. Will get robust vegetation and keep primitive.
- Is there any residual chemical contamination?
 - Any time a cubic yard of soil is disturbed, it is sampled for heavy metals. Clean backfill would be brought in if needed.
- Sources of funding?
 - Natural Resource Damage Program (NRDP) funding eligible? No, outside geographic area.
 - DNRC Reclamation and Development planning grant is potentially available.
- Is there any risk to water rights?
 - No, closed basin. No existing claims. FWP can check with water right staff.
- Value to cutthroat trout?
 - Spawning habitat potential. Good water temperature (very cold). Consistent flow (1-2 cfs). Thermal refugia.
 - Beavers are upstream of town now. Tons of fish in those areas. Downstream will be better with construction and potentially match that reach.

Motion: Motion made to fund the project at \$143,730 using FWP recommendation and \$15,000 mobilization ask.

Motion Made by: Bob Schroeder

Motion Second by: Mike Newton

Panel Action: Motion passes unanimously.

Amount Approved: \$143,730.00

4. 006-2024 First Chance Gulch habitat improvements. 09:23-09:50

Amount Requested: \$24,000.00

FWP Recommendation: Full funding (\$24,000.00) if the applicant can:

- Justify the use of personnel (are these MCC crews? Does it cost \$5,250 per person for 7 days?)
 - Not an MCC crew, is a professional crew. Budget includes mobilization, tools, day rate, etc.
- Address whether the fabric under the logs is necessary.
 - Yes. Small step to protect investment. Otherwise, blowout is possible. Structures are expected to withstand a 25 year flood event. Fabric will go away once sediment fills in.

Project Representative: Ben Laporte (Big Hole Watershed Committee)

Discussion Items: 09:28-09:50 am

- Structures are not a check dams; these are angled.
- How did they determine spacing of structures?
 - A field fit and based on access and gradient.
- Native trout are currently in the drainage. Part of larger restoration project. Discussed stocking and monitoring.
- There is a low match because they haven't had time for fundraising.
- Discussion on funding FWP properties on Wildlife Management Areas (WMAs)
 - FWP staff provided information on the FFIP program history, as well as a major funding source being license dollars that would be the same pot of money as anything earmarked for a WMA.

- Aquatic habitat improvement projects do not fall within the WMA budget; most habitat dollars go towards wildlife and fencing.
- Could potentially be set up this way, but isn't set up this way currently.

Motion: Motion made to fully fund at \$24,000.00.

Motion Made by: David Cope

Motion Second by: Michael Johns

Panel Action: No (2; Representative Wayne Rusk, David Cope); Yes (7; Bill Mytton, Michael Johns, Ron Pierce, Mike Newton, Nancy Winslow, Bob Schroeder, Senator Tom McGillvray). Motion passes.

Amount Approved: \$24,000.00

5. 001-2024 Albert Creek culvert replacement. 10:11-10:29

Amount Requested: \$45,300.00

FWP Recommendation: Full funding (\$45,300.00)

Project Representative: Paul Parson (Trout Unlimited)

Discussion Items: 10:13-10:29

- Can fish going upstream reach the project area?
 - Maintaining lower culvert as a barrier.
 - Not a fluvial project; fish that move downstream can't come back up.
- Discussion on fish passage
 - Important in fall when water is low. Stream is connected many times of the year, but not in June and July.
Bull trout run before it dries up, come back out after. Is a resident stream population.
- Access? Is a USFS road and all public land.
- Questions on budget:
 - Engineer estimated budget by quantity.
 - Discussion on trucking company costs. Are they too high? Dump truck costs as "extra."
 - High costs, big match.

Motion: Motion made to fully fund at \$45,300.00

Motion Made by: Bob Schroeder

Motion Second by: Michael Johns

Panel Action: No (1; Mike Newton); Yes (8; Representative Wayne Rusk, David Cope, Bill Mytton, Michael Johns, Ron Pierce, Nancy Winslow, Bob Schroeder, Senator Tom McGillvray). Motion passes.

Amount Approved: \$45,300.00

6. 007-2024 Flat Creek tailings removal and restoration. 10:30-10:46

Amount Requested: \$53,310.00

FWP Recommendation: Full funding (\$53,310.00) but ask the application to provide more detail on the 48 days of construction oversight.

- TU does oversight: \$640/day.
 - Engineering tech is \$100/hour, PE is \$140/hour.

Project Representative: Paul Parson (Trout Unlimited)

Discussion Items: 10:33-10:46

- Funding
 - DNRC, USFS funding is in use. DEQ is not funding. Project is in USFS land. ASARCO settlement ran out of money.
 - Not planning on coming back to FFIP. The budget includes stream rehab costs.
- Project area contaminants
 - Contaminants: arsenic, lead, zinc
 - Sampling/analysis plan used to determine what should be removed. Uses radar gun to know when to stop digging.

- Repository above project where it is safe. Don't want seismic zone and want to keep materials high and dry.

Motion: Motion made to fully fund at \$53,310.00

Motion Made by: Bill Mytton

Motion Second by: Michael Johns

Panel Action: Motion passed unanimously.

Amount Approved: \$53,310.00

7. 014-2024 Miller Creek restoration Leik property. 10:47-11:12

Amount Requested: \$69,790.00

FWP Recommendation: Full funding (\$69,790.00) but ask the applicant to elaborate on the fencing setback in the grazing pasture. How large is it?

- Fencing entire functional area. 60-140 ft wide, 80 ft buffer.

Project Representative: Adam Switalski (Clark Fork Coalition)

Discussion Items: 10:52-11:12

- Discussed project materials.
 - 6" rock for a crossing? No, for some of riffles and possibly a hardened crossing.
- How far away is the depository for excess material?
 - On site to the south: old ditch that runs against the tree line.
 - Excavation includes this cost.
 - Applying native seed, doing clump transport.
- Access discussion.
 - Private property; DNRC parcel is upstream with creek accessibility.
- Fisheries response?
 - Movement from Bitterroot is not yet established. Highly developed area; bottom 2 miles is a ditch.
 - Previous projects resulted in over 1 fish/foot in the creek (used to be 1 fish/2 feet).
 - Stream dewatered at next property down (end of perennial reaches). Starting to monitor water savings and retention.
 - Good resident population; fish can move up with pulse of water.
 - Measuring vegetation response. Weeds are treated as well.
- Budget discussion.
 - No match from landowner? Logs from landowner's property (in kind).
 - Geum is a design firm out of Hamilton that does oversight.
- Goals: improve water flow in Miller Creek, flow will maintain into the summer.
- This project has not come before the Missoula Conservation District. Concern the hardened crossing would not be permitted.
- No Letter of endorsement from local fisheries biologist.
 - Verbal support. FWP described the comment letter process and need to work internally to expedite.

Motion: Motion made to fully fund at \$69,790.00

Motion Made by: Nancy Winslow

Motion Second by: David Cope

Panel Action: No (1; Mike Newton); Yes (8; Representative Wayne Rusk, David Cope, Bill Mytton, Michael Johns, Ron Pierce, Nancy Winslow, Bob Schroeder, Senator Tom McGillvray). Motion passes.

Amount Approved: \$69,790.00

8. 013-2024 Marshall Creek riparian fencing. 11:13-11:22

Amount Requested: \$2,000.00

FWP Recommendation: Full funding (\$2,000.00)

Project Representative: Randy and Nancy Moy (landowners)

Discussion Items: 11:17-11:22

- Who owns cows? Leased for grazing. 8 cows.
- Access:
 - No public has ever asked.
 - Landowner would allow if asked.
- Ron Pierce worked on this project twenty years ago. A bull trout was lost in the pond.
- Excellent spawning stream and recruitment source to the Clark Fork River with the fish ladder.

Motion: Motion made to fully fund at \$2,000.

Motion Made by: Mike Newton

Motion Second by: Bill Mytton

Panel Action: Motion passed unanimously.

Amount Approved: \$2,000.00

9. 003-2024 Blind Canyon Creek fish barrier. 11:23-11:32

Amount Requested: \$20,000.00

FWP Recommendation: Full funding (\$20,000.00) but ask the applicant to address why the project involves significant tree removal downstream of the barrier and to provide a photo of the proposed barrier type.

- Tree removal via USFS for equipment access.

Project Representative: Chris Edgington (Montana Trout Unlimited)

Discussion Items: 11:25-11:32

- Fisheries discussion:
 - Protection of a unique population. Discussion of genetics.
 - Why haven't fish made it past the culvert? Not sure. FWP priority. Is a 2, perched culvert that needs to be improved.
 - Intermittent stream. Less than a mile above the crossing is perennial. 2.5 miles of habitat.
- Budget:
 - \$15,000 secured through the USFS.
 - George Grant TU or USFS RAC Committee could fund the remaining \$38,000.
- Road accessible year-round, by snowmobile in winter.

Motion: Motion made to fully fund at \$20,000.

Motion Made by: Michael Johns

Motion Second by: Mike Newton

Panel Action: Motion passed unanimously.

Amount Approved: \$20,000.00

10. 018-2024 Parsons Slough Willow Springs water lease. 11:32-11:47

Amount Requested: \$50,000.00

FWP Recommendation: Full funding (\$50,000.00)

Project Representative: Ron Spoon (FWP)

Discussion Items: 11:34-11:47

- Discussion about water savings and operation.
 - 11 cfs, not sure how many acre feet that is. 4 cfs will be pumped to make up for irrigation needs.
 - Expanding operation? Adding two additional pivots.
 - Does the pivot cross the creek? No, that a low spot on the map.
 - Most dewatered area, then gains groundwater. Extra flow to downstream irrigators.
- Fisheries benefit:
 - Solid monitoring, minus a few years that they weren't able to survey.
 - Water will solve problem of connecting spawning habitat.
 - Supplies fish for 15 miles to Cardwell.
- The request is over a 30-year period.

- HB 2 funding as match.
 - Question about changes in landownership. Infrastructure changes should be maintained if they function.
 - In terms of access, for spawning. Angler benefit is downstream.
- Motion: Motion made to fully fund at \$50,000.
- Motion Made by: Ron Pierce
- Motion Second by: Michael Johns
- Panel Action: Motion passed unanimously.
- Amount Approved: \$50,000.00**

Lunch Break: 11:47-12:47

Panel discussion and project updates: 12:48-01:08

11. 002-2024 Benedict Creek fish passage. 01:08-01:18

Amount Requested: \$11,400.00

FWP Recommendation: Full funding (\$11,400.00)

Project Representative: Ryan Neudecker (Big Blackfoot Chapter of Trout Unlimited)

Discussion Items: 01:12-01:18

- Change point of diversion by 80 feet, will create new step-pool system with a zinvent fish screen.
 - Allows landowner to keep their water right. Cutthroat won't be going into the irrigation system.
- Benedict Creek is thermal refugia for fish.
- Downstream structure does not influence the hydraulics and is used for the grade control.
- Reviewed previous project success in relation to maintenance. At Johnson Creek the landowner has to brush off the screen about once per month.
- There is an overflow switch, but there is not a predetermined plan for the overflow of water.

Motion: Motion made to fund at the full \$11,400.00.

Motion Made by: Mike Newton

Motion Second by: Bill Mytton

Panel Action: Motion passed unanimously.

Amount Approved: \$11,400.00

12. 016-2024 Nevada Creek restoration phase 7. 01:19-01:59

Amount Requested: \$275,000.00

FWP Recommendation: Partial funding (\$150,000.00) in consideration of the overall budget

Project Representative: Ryan Neudecker (Big Blackfoot Chapter of Trout Unlimited)

Discussion Items: 01:24-01:59

- Construction planned for 2024. Phase 8 would be 2025. Phase 8 will be the end minus a few small sections to address (approx. 80% done with Nevada Creek).
- Fishery improvement. Health of Blackfoot directly correlated to tributaries and Nevada Creek is the largest tributary. Fish density has improved significantly.
- Discussion about the causes of degradation, including straightening and moving the stream to make room for agriculture. Willows were also removed. This causes significant erosion.
- Grazing management discussion:
 - Exclusion from grazing for ten years.
 - 40-100 foot buffer.
 - Working on details. Phase 2 will be a lighter grazing option.
- Question about the FWP Recommendation. The reduced funding amount will leave some funds on the table for future cycles. Previous limit has been (informally) \$100,000.

- Budget:
 - Landowner match: \$160,000 geared toward materials: willows, sod, trees, etc.
 - Understanding the difference between “fill” vs excavation.
 - Yards for “excavate and haul fill” yards and amount are listed twice.
 - The fill from the initial excavation cannot be used for the second fill.
 - The fill that is stable enough for the second fill is created on site, requires screening for use.
 - Explained “Lump sum mobilization”
 - Fee includes equipment, mobilization in and out, GPS equipment, per diem.
 - Applicant would write more grants if not fully funded.
 - Question about funding Phase 7 fully and not Phase 8 vs. partially funding both. Funding would still be needed for the next phase, as a diversity of partners and non-federal match is important.
 - BOR funding is now a yes.
- Can DNRC and the bureau chiefs get in touch to solve infrastructure “messes” that would facilitate the future of projects in this area? Specifically upstream projects?
 - Inter-agency work is being done. Engagement with DNRC is on the to-do list.
- Public access:
 - Mannix Ranch has public access with block Management. No county road crossing. Allows fishing by permission. Overall goal is to improve recruitment.

Motion: Motion made to partially fund at the recommended amount of \$150,000.00.

Motion Made by: Michael Johns

Motion Second by: Mike Newton

Panel Action: Motion passed unanimously.

Amount Approved: \$150,000.00

13. 020-2024 Tin Cup Creek fish screen update. 01:59-02:10

Amount Requested: \$18,200.00

FWP Recommendation: Full funding (\$18,200.00)

Project Representative: Jed Whiteley (Clark Fork Coalition), Rick Scheele (Tin Cup Water Users)

Discussion Items: 02:05-02:10

- Is there a measuring device? Yes, highly advanced. A flume talks to a head gate and automatically adjusts the head gate. It also ties into the dam with another \$25,000 headgate.
- Discussion of new screen technology and expected upgrades, including a chain drive and new brushes that keep better contact with the screen.
- 12 miles downstream from Tin Cup Reservoir.
- What’s the use of the diverted water?
 - Irrigation: mostly pasture hay, Circle K Ranch with deli and butcher property, apple orchards

Motion: Motion made to fully fund at \$18,200.00.

Motion Made by: Mike Newton

Motion Second by: Michael Johns

Panel Action: Motion passed unanimously.

Amount Approved: \$18,200.00

14. 017-2024 North Burnt Fork Creek fish passage supplement. 02:12-02:48

Amount Requested: \$75,190.00

FWP Recommendation: We support the project but don’t recommend funding without additional budget explanation describing the need. The application lists a \$196,000 increase in the budget but notes new funding from USFWS (\$100k), Rec Trails (\$69k) and private donors (\$25k) that equal \$195,000. It is not clear how the request is needed.

Project Representative: John Muhlfeld (River Design Group)

Discussion Items: 02:17-02:46

- Additional request reasoning: previous budget was based on a 50% design bid.
 - Funding gap resulted from cost increases and changes in previously available funds.
 - Funds must be matched by federal and non-federal funds.
- Question about streambank rebuilding. They will use reed canarygrass removal and aggressive reseeding as well as some mechanical removal.
- Does refuge have available equipment?
 - One excavator will be contributed, not enough for all work.
 - The refuge will generate rock from a borrowed source as a contribution to the project.
- Budget:
 - Concern over lack of qualified contractors and high bids.
 - Construction costs (fuel, labor, per diem, equipment) are all going up.
 - Raw materials: is good, clean rock available? Is the lack of availability due to the lack of rock?
 - Not noted for this project.
 - 6" fill requires gradation that means it is more expensive.
- FWP staff history of working with RDG and TU.
- Discussion of the fish benefit. Project site is low in the drainage and doesn't experience dewatering.
- Amendment of \$3,000 discussed due to future re-bidding.
 - 404 Permit will expire in one year if funds are not secured and construction doesn't occur.
- How much of the project is tied to the trail system?
 - Includes reconstruction of the trail system: back-filling and asphalt for ADA accessibility.
 - How far is the ADA reach? It extends from parking area to the river about 2 miles $\frac{1}{2}$ - $\frac{3}{4}$ of a mile.
 - The trail funds and ADA improvement will be funded through other means: grants and USFWS.

Motion: Motion made to fully fund at \$75,190.00

Motion Made by: Ron Pierce

Motion Second by: Representative Wayne Rusk

Amendment to Motion proposed: Motion amendment made to partially fund at \$55,190.00.

Revised Motion Made by: Ron Pierce

Revised Motion Second by: Representative Wayne Rusk

Panel Action: No (1; Michael Johns); Yes (8; Mike Newton, Representative Wayne Rusk, David Cope, Bill Mytton, Ron Pierce, Nancy Winslow, Bob Schroeder, Senator Tom McGillvray). Revised motion passes.

Amount Approved: \$55,190.00

Panel business (after first day project review) 02:48-03:08:

- Project balances were reviewed. Nancy Winslow and Clint Peck were chosen as the panel representatives for the prioritization. The prioritization committee plans to meet Wednesday, December 20, 2023.
- Discussion on when and where to hold FFIP summer meeting and field tour. Scheduled for June 11-12th, 2024. Location to be determined.

Adjourned for the Day: 03:08

Date: December 13, 2023

15. 019-2024 Paulo Reservoir storage and habitat. 08:08-08:34

Amount Requested: \$33,181.00

FWP Recommendation: Full funding (\$33,181.00)

Project Representative: Mike Borgreen (BLM Glasgow Field Office)

Discussion Items: 08:14-08:34

- Will the water surface elevation be increased?
 - Raising depth, not really surface area due to the slope of the banks.
- Rule of thumb is 15% of the pond should be 15ft deep for winter fish habitat.
- What is included in the riprap cost and the gravel (for road surfacing) cost?
 - Breakdown not included. Can provide information later.
- Will you have enough inflow to fill the dam? Yes, with normal precipitation.
- Contractors are limited.
- Discussion on waterfowl nesting. Uplands are intact and the project should result in status quo for waterfowl.

Motion: Motion made to fully fund at \$33,181.00.

Motion Made by: Bill Mytton

Motion Second by: Bob Schroeder

Panel Action: Motion passed unanimously.

Amount Approved: \$33,181.00

16. 015-2024 Moore Creek restoration phase 1. 08:35-09:19

Amount Requested: \$93,296.00

FWP Recommendation: Partial funding (\$83,293.00), minus non-allowable costs.

Project Representative: Colin Threlkeld (Madison Conservation District)

Discussion Items: 08:43-09:19

- Hoping to continue work in future phases with additional landowners.
- Fisheries discussion:
 - Brown and rainbow trout are using Moore Creek for spawning. Will directly support adult abundance in the Madison.
 - How will grazing affect spawning brown trout in the fall or rainbow trout in the spring? Monitoring is required.
 - Monitoring will include biological pre-treatment. Expected to use microchemistry, monitoring via hydropower mitigation and tracking adults in the Madison.
- Budget:
 - 319 DEQ funds have been secured since application was submitted.
- Question about the sinuosity and design of the meanders. The build may not look exactly like the mapped-out meanders. Using lidar, elevations, and historic channel information.
 - Channel dimensions come into plan on map.
 - Design by RDG is curved based on gradient, slope, sinuosity.
- Landowner is not allowing access; RV park is allowing access on walking paths. Will the RV park allow public access to walkway or access to customers only? Not sure.
- Concerns on future development. No, will only have restoration from project area to town.
- Grazing:
 - Will be limited to one occurrence in the fall, not affecting riparian health.
 - Grazing will be kept off streambank and channel with the exception of riparian grazing.
 - Density is unknown. Stocking rate unknown.
 - Within the project area, concern that grazing in the fall may affect streambeds and banks.
 - When grazing the riparian area, the entire channel is open for grazing.
 - Water gaps are hardened with no vegetation.
 - Needs to have best management practices and grazing management plan.
- How will ice gorging affect things? Riparian fencing on the previous restoration area upstream has not been affected by the gorging.

- Why is the fence in a zig-zag configuration? Straight would be easier. Using a 30-50ft buffer. A straight fence is an option if the landowner is willing to make a bigger buffer. Standard water quality buffer is 50 feet. Maybe not a loss of pasture if grazing 1x/year.

Motion: Motion made to fund at partial FWP recommended \$83,293.00 contingent upon an approved grazing plan that includes 5 years of rest and monitoring that ensures grazing does not deteriorate stream conditions.

Motion Made by: Ron Pierce

Motion Second by: Bob Schroeder

Panel Action: Motion passed unanimously.

Amount Approved: \$83,293.00

17. 009-2024 Governor Creek streambank restoration. 09:19-09:35

Amount Requested: \$16,400.00

FWP Recommendation: Full funding (\$16,400.00)

Project Representative: Katelin Killoy (FWP)

Discussion Items: 09:23-09:33

- Project initiated by NRCS assessment of bank lines.
- Is wildlife and grazing a problem? Some moose and elk grazing in addition to cattle.
- How far from the highway is Governor Creek? About one mile.
- Is public fishing allowed? Permitted by landowner. No public access points but can access via the Big Hole.
- Status of grazing discussed. Need management plan for exclusion? Not planned. Will be monitoring and intend to address the grazing without an exclusion.

Motion: Motion made to fully fund at \$16,400.00

Motion Made by: Bill Mytton

Motion Second by: Representative Wayne Rusk

Panel Action: Motion passed unanimously.

Amount Approved: \$16,400.00

18. 011-2024 Hellroaring Creek streambank restoration. 09:35-09:45

Amount Requested: \$10,400.00

FWP Recommendation: Full funding (\$10,400.00)

Project Representative: Katelin Killoy (FWP)

Discussion Items: 09:39-09:44

- Wildlife over-grazing problem? Not really, potentially moose.
- Question about fencing on the map. Not sure if some of it is fenced. Suggestion to fence all of Hellroaring Creek to better exclude it. Site plan will be developed this year.
- Monitored once every five years with closed project site visits; try to do more if possible.
- Discussion on Arctic grayling temperature preferences. Working to enhance thermal refuge.
- Will there be spawning surveys? Not sure. Probably standardized with CCAA requirements. Grayling do not spawn in Hellroaring Creek, but Hellroaring is a tributary to Red Rock Creek which is a spawning location.

Motion: Motion made to fully fund at \$10,400.00

Motion Made by: Bob Schroeder

Motion Second by: Ron Pierce

Panel Action: Motion passed unanimously.

Amount Approved: \$10,400.00

Review the CCAA (Candidate Conservation Agreement with Assurances) Program: 09:45-09:49

Private Landowner promises to do certain things if Arctic Grayling is enlisted, they don't have to do anything additional.

19. 004-2024 Cattail Creek spawning enhancement. 10:05-10:30

Amount Requested: \$107,358.00

FWP Recommendation: Partial funding (\$105,558.00), without travel costs. We ask the applicant to address the drop in grade with the removal of the fish screen structure and how that will be accommodated in the design.

- Only a 1-foot drop in grade

Project Representative: Dan Durham and Dave Delisi (Ruby Habitat Foundation), Clint Campbell (Kingfisher Consulting, Inc.)

Discussion Items: 10:11-10:28

- Public access by permission
- Fisheries discussion:
 - Brown trout moved into the system; no fish stocking is taking place. Enhancing spawning habitat. Brown trout is the major species in the Ruby below the reservoir.
 - Health of brown trout fishery? Fifth percentile in terms of abundance. Top heavy, no recruitment. Could be the result of habitat, flow, and temperature. Also need to enhance streambank cover with course, complex vegetation.
 - Monitoring will be pre- and post-project. Will use electrofishing and trend section assessments.
- Grazing:
 - Fall and winter grazing. Grazed every 2-3 years with frozen ground. Minimize hard fence; prefer to use electric to manage and adjust.
- Why is new alignment better?
 - First project completed to make fishery better. This project is to focus on the stream channel and increase velocities for brown trout preference. Not for holding water, for brown trout spawning.
 - New channel will be narrow and steep enough to increase stream velocities.
- Will spawning gravel maintenance be needed? Don't expect a lot of movement. Spawning gravel must be screened several times to get the exact size. Trucked in from Dillon.
- Fish screen discussion.

Motion: Motion made to fund at the recommended partial amount of \$105,558.00.

Motion Made by: Nancy Winslow

Motion Second by: Bob Schroeder

Panel Action: Motion passed unanimously.

Amount Approved: \$105,558.00

20. 010-2024 Granite Creek Upper Alder restoration. 10:30-11:00

Amount Requested: \$100,000.00

FWP Recommendation: We recommend full funding (\$100,000.00)

Project Representative: Audra Bell (Ruby Valley Conservation District)

Discussion Items: 10:34-10:55

- No grazing on this restoration project.
- Fish passage barrier installation
- Budget:
 - DEQ has provided funds.
 - Discrepancy in spreadsheet costs? The budget has not been finalized due to selection of a contractor. Match may be causing the discrepancy.
 - Existing bids may not be applicable if contractor is not available.
 - Securing additional funding as project may go out to bid.
 - May use contractor from Schedule A, which could save money on mobilization, but not sure.
 - Schedule A is in progress, in conjunction with the highway project. Schedule B would require a new contract in place. Bill Semmens emphasized the importance of this project from MDT's perspective.
 - Question on the high topsoil costs (related to trucking).
 - Mobilization includes per diem.

- Great West Engineering has been overseeing the project as RVCD does not have the resources.
- Discussion about the definition of a 'fascine'
- Landowner is doing secondary project and looking to educate landowners, hoping to continue work to the Ruby River.
- Nonnative sport fishery. Connectivity will improve the fishery in the area. There are westslope cutthroat trout in the upper drainage.
- Public access via the bridge.

Motion: Motion made to fully fund at \$100,000.

Motion Made by: Nancy Winslow

Motion Second by: Ron Pierce

Panel Action: Motion passes unanimously. Bob Schroeder and Representative Wayne Rusk abstain.

Amount Approved: \$100,000.00

21. 021-2024 Warm Springs fish passage improvement. 11:01-11:22

Amount Requested: \$52,800.00

FWP Recommendation: Full funding (\$52,800.00), but request that the applicant provide a photo of the existing structure and describe whether grade control will be installed in the project area.

Project Representative: Casey Hackathorn (Trout Unlimited)

Discussion Items: 11:04-11:22

- Recent bid gave a \$700k cost. Nonfederal match is required. Costs are increased due to concrete sub. Redoing the design to avoid concrete costs would not result in an overall cost savings.
- Natural Resource Damage Program (NRDP) funding? Provided cost support on previous projects, but secondary USFS roads are considered a normal government function. May ask again.
- Current bridge needs replacement (starting to crumble) and up-to-date hydraulics. Concerned about a large flow event and the emergency fix that could occur.
- Large bridge is needed due to the stream capacity and the well-used forest road. The road provides year-round access for residents.
- Fisheries discussion:
 - Telemetry work? No. Tagging study was conducted for bull trout and cutthroat.
 - Project location is 1 of 5 key spawning tributaries for cutthroat trout. One of main key spawning areas for bull trout. Approximately 20-30% spawning habitat is upstream of this bridge.
 - Could be issue for westslope cutthroat trout, which move often.
 - Reconnecting 60 miles of fish habitat
 - USFWS is involved, provided late support letter (not in packet)
- Concern about the size and cost of the bridge, as well as USFS responsibility in the overall cost.

Motion: Motion made to fully fund at \$52,800.00

Motion Made by: Nancy Winslow

Motion Second by: Ron Pierce

Panel Action: Y (2; Nancy Winslow and Ron Pierce); N (3; David Cope, Bob Schroeder, Representative Wayne Rusk, and Bill Mytton).

Motion: Motion made not to fund the project.

Motion Made By: Bob Schroeder

Motion Second by: David Cope

Panel Action: Y (David Cope, Representative Wayne Rusk, Bob Schroeder, and Bill Mytton); N (Nancy Winslow and Ron Pierce). Motion passes.

Amount Approved: \$0

22. Update and request for modification to Upper Red Rock Lake Overwinter Habitat (RIT0122022) 11:23-11:55

Representative: Matt Jaeger (FWP)

- Update on the previously funded project (2022). Request to use funds on same overall project, with revisions due to lawsuit. New activities would be under the Coral Creek Genetic Reserve project.
- Goal: Arctic grayling recovery in a short term timeframe (2024).
 - Funding allocated was \$100,000.00 of FFIP served as match. Other funds must be spent by June 2024.
 - Private land: Environmental compliance required. No additional permits necessary. Project-Specific Landowner Agreement already obtained.
 - \$100,000.00 comes from allocated funds that have not been spent.

Funds Requested: \$0. Grant of \$100,00.00 approved and allocated.

Motion: Motion made to allow previously obtained funds to be used on a new project.

Motion Made By: Bill Mytton

Motion Seconded By: Nancy Winslow

Panel Action: Motion passed unanimously.

Meeting Adjourned: 11:57