

Pend Oreille Basin Commission
5/27/09 Minutes
Panhandle Health District (2-5 p.m.)

Commissioners present:

Ford Elsaesser	Linda Mitchell
Brent Baker	Craig Hill
Doug Conde	Caryn Miske
Rick Donaldson	Kate Wilson (program coordinator)

Guests/public

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Agenda

- 1) Introductions and approval of Minutes from 3/11/09 meeting
- 2) Aquatic Invasive Species updates (Rep. Anderson)
- 3) Presentation on USACE mussel monitoring efforts (Betsy Hull)
- 4) Presentation on Regional Permit 27 (Rick Donaldson-USFWS, Beth Rhinehart-USACE)
- 5) Presentation on WDOE feasibility study-aquifer recharge (Bob Haynes, IDWR)
- 6) Update on Lake*A*Syst (Molly McCahon)
- 7) Permit application update (Jim Brady, IDL)
- 8) Update on Flathead Basin AIS (Caryn Miske, FBC)
- 9) Project updates (Kate Wilson)

Meeting

Craig made a motion to *approve the 3/11/09 Minutes as written*. Doug seconded. All in favor; **motion passed**.

Representative Eric Anderson provided an update on the new aquatic invasive species prevention program (legislation, AIS stickers, and boat inspection stations). Mandatory boat inspection stations will be set up before the 4th of July. The stickers will be sold online through IDPR. He emphasized the importance of getting volunteers to help monitor for mussels. Provided information on recently apprehended *HELLO* boat. He believes that the Pacific Northwest Economic Region (PNWER) can play a vital role in coordinating western states.

Betsy Hull of the USACE gave a PowerPoint presentation on her efforts to get USACE to provide mussel monitoring substrate stations at the reservoirs and lakes that they manage. She gave an overview of potential *Dressenid* mussel impacts to hydropower in Idaho (\$268 million annually) and emphasized the importance of calcium in vulnerable waterbodies. She explained how the substrates work (cement w/calcium inside PVS/ABS pipe, parachute cord with landscape fabric attached to dock/piling). All substrates must be GPSed and monitored each month (May-October). Betsy is putting the substrates at: 1) Albeni Falls Dam, 2) off a buoy at Riley Creek, 3) boat ramp at Springy Point, 4) Trestle Creek boat ramp, and 5) Clark Fork Delta.

Rick Donaldson and Beth Rhinehart gave a presentation on the new Regional Permit 27 (specifically for Pend Oreille). This permit authorizes four types of marine structures: 1)

piers and floating docks; 2) marine launching rails; 3) mooring piles; and, 4) portable boat lift stations. USACE and USFWS worked together to develop these mitigation measures for the protection fish & wildlife. The program also sets “geographic exclusion areas” that require a separate USACE permit for any kind of construction. These areas are: Clark Fork River and Delta, Pack River Delta, Denton Slough, Sagle Slough, Morton Slough, Cocolalla Slough, and Scenic Bay.

Geographic exclusion areas also exist within ½ mile of an active bald eagle nest and within 100 yards from the outlet of the following streams for bull trout protection: Gold Creek, Granite Creek, Lightning Creek, Priest River, Trestle Creek, Strong Creek, and West Gold Creek (no docks will be permitted within 100 yards of the outlet). Light penetrating decking will be required for docks and piers within ¼ mile of bull trout spawning streams—shading can provide cover for species that prey on bull trout.

When construction projects use impact hammers to drive steel pilings, the piling must be no more than 12” in diameter. There must be a bubble curtain surrounding the pilings. Wood or synthetic block must be used when the pilings are being driven.

Bob Haynes of IDWR gave a presentation on the feasibility study behind the WDOE proposal to recharge the aquifer with water from Lake Pend Oreille (and pipe it to Spokane). Bob explained that if wells were used (greater than 18’), a permit under the Clean Water Act would be required. Public input would be necessary; the actual permit would be to pump the water. The “public interest” is of the most concern at this point. The bottom line is that IDWR is looking at the impact of the proposed use. Can the water be pumped from Lake Pend Oreille without having a negative impact? Nothing prohibits another state from submitting an application for water. Bob explained that the water supply in the Spokane-area is “not a crisis situation at this point...but we’ll get there without long-term planning.” He said they are looking at Spokane River high flows as well. What is the most economical? He suggested that it may be necessary to operate as a region instead of state boundaries dictating what is possible. Ford requested that IDWR share the results of the study and commented that Pend Oreille County isn’t happy now—and they want to propose taking more water? Bob said that the decision is ultimately Idaho’s to make.

Molly McCahon gave an update on Lake*A*Syst. She created a locally available plant list (of the new County permitted plants list) and is distributing to shoreline homeowners. She’s been working with the Building Contractors Association; she would like to target new construction projects and has a letter ready to send to landowners about to build. She will be taking LAS to Priest Lake soon, and also adding addendums to the book (AIS and boating). She would like to get AIS stickers to sell, as she gets lots of questions and interest in the issue. She is also working with marinas on spill protection and education.

Jim Brady gave an update on some of the big permitted projects (byway, railroad bridge restoration, Idaho Club at Trestle Creek). He announced Negotiated Rulemaking for some permitting issues (including the privatization of marinas). Rules now allow for marina operators to sell 50 percent of their moorage to the private sector, but the rest

must be public. Vista Bay was the first marina to go private; Boileau's would be the second. A public hearing has been requested for the Boileau's Marina application; it will be held in Spirit Lake June 1st. The permit was previously denied due to parking issues. Skip Wilcox of Bayview voiced concerns regarding the proposed project (privatization in general, lack of ERs for sewer, float homes, etc).

The Idaho Club has not started work on the Trestle Creek project yet; their permit is good for three years. The railroad bridge renovation has been slightly altered—there will be an 800' work bridge on the west side; they will be driving six pilings at 120-160.' The center pilings are fine as they were replaced in the 1960s. Work is scheduled through mid-October.

Caryn reported on AIS issues in the Flathead Basin. She commented that Idaho is currently leaps and bounds ahead on AIS prevention; \$330,000 was approved in the last legislative session, but that is not enough to implement a prevention program. The Flathead Basin Commission is interested in taking primary responsibility of designing and implementing their own AIS plan. She is hoping a draft plan will be completed soon. They are hoping to engage Missoula County and the B.C. Ministry of the Environment as well. Flathead is the headwaters for the entire Columbia River system. They are also hoping to get one check station in place this summer.

Kate gave an update on the budget (\$7800 cut this year) and projects.

The Commissioners will select a meeting date in August/September for the next quarterly meeting.

Brent made a motion to *adjourn the meeting*. Craig seconded. All in favor. **Motion passed.**