

**Land, Water and Wildlife Program  
Big Wood River Highway 75 Restoration Project  
Submitted by partner Trout Unlimited**

**Report on LAB's consideration of the Pre-Application  
October 7, 2015**

To: Commissioners Schoen, McCleary, Greenberg  
Cc: Tom Bergin, Tim Graves  
From: LAB, which approved this report on October 21, 2015

**I. Outcome:** The seven LAB members considered the Pre-Application and voted unanimously to invite a Full Application. Full Application expected: 12/15/15.

**II. Materials included with this Report:**

- Swanger Review of the Pre-Application for the LAB – 9/28/15
- Pre-Application
- LAB Meeting Minutes – 10/7/15 meeting
- Program Guide attachments #3, #4, #5

**III. Project Description and Request:**

Trout Unlimited (TU) seeks \$170,000 from the LWWP (50% of the total estimated project cost of \$340,000) to “enhance aquatic and riparian habitat by improving river function in an approximate half-mile reach of the Big Wood River.” This reach, called the Sheep Bridge to Highway 75 Bridge reach, is located just north of St. Luke’s Wood River Hospital. Many people refer to the Highway 75 Bridge as the Hospital Bridge.

The Pre-Appl states that:

“Wild trout as well as other coldwater fish (native whitefish and sculpin) will directly benefit from the project... By improving river channel stability through realignment, river functionality will be enhanced, and stream bank above and below the project site will be protected.”

I.e., by improving fish habitat, the fishery improves.

The Problem: The Big Wood River (BWR) has stream bank instability, sediment deposition, and in-stream, riparian and habitat loss along this reach. The river channel shifted measurably over the past decade such that river energy is now focused on the west bank resulting in bank scouring, erosion, sediment release, and habitat loss.

The Proposed Solution:

- Improve river channel stability to a naturally functioning state through realignment
- Incorporate bioengineering methods and materials
- Include extensive re-vegetation of the site (County requirement)

- TU collaborating with private landowners, Blaine County, and ITD (due to upcoming Hwy 75 Hospital Bridge replacement)
- The Drashner/Gardner property is most directly affected. They approve this project for their property. TU Project Manager Chad Chorney says that most of the work and expense will occur on the river where it runs through the Drashner/Gardner family land.

This Pre-Appl addresses the southern portion of the reach where the problems are most severe. The precise project delineation will be known at Final Project Design.

Timing: TU expects the Final Design in November and will begin permitting process soon thereafter.

See Program Guide Attachment #3 for reference on “Non-Acquisition Projects – Summary” and Attachment #5, “Permits and LWWP Funding,” attached.

#### **IV. Project relative to LWWP conservation objectives and public benefit: initial assessment**

From Blaine County Resolution #2008-71

- Areas of greatest interest include the Big Wood River corridor
- Protecting rivers and streams and their riparian corridors, flood plains and wetlands
- Preserving water quality
- Conserving, restoring, maintaining and otherwise providing for proper stewardship of lands and waters as provided herein.

From LWWP Program Guide, pages 5-6, “Other Considerations”

- Protect water sources and quality: “In keeping with the primary objectives of the Levy, the Program will prioritize projects that protect ground or surface water quality or quantity in Blaine County watersheds. Of particular interest are projects that preserve or restore native riparian vegetation, natural watercourses and buffers... Other desirable characteristics include protecting both banks of a waterway, length of reach, current stewardship efforts and other evidence of good or improving water quality”.
- Protect habitat for wildlife and fish: “The Program aims to support area wildlife by investing Levy funds in projects that conserve a variety of species or are critical to one particular species. Special consideration will be given to projects with high-quality habitat, properties that provide a diversity of habitat sites, projects that protect, expand or improve migration corridors or transit routes, and sites that contribute most to the survival of area fish and wildlife”.
- The Program will give consideration to projects that provide outdoor recreation and public access.
- Ensure lasting conservation outcomes: “It is a central goal of the Program that results be lasting.... Due to the dynamic aspects of natural systems and processes, at least three years of monitoring and reporting will generally be required for non-acquisition projects.”

Additional information:

- This is the 2<sup>nd</sup> application for a project near Ketchum. The 1<sup>st</sup> is pending due to requirements placed on it by the Board of County Commissioners

- The Pre-Appl states: “This project will act as a demonstration to property owners along the BWR and will provide an ecologically sensitive way to protect property, restore river functionality, and enhance riparian and instream habitat.”

**V. Six Minimum Criteria for LWWP Funding: Initial assessment and status.** All must be met at Full Appl stage.

1. Blaine County location? *Yes*
2. Serves 1+ primary Levy goals of protecting land, water or wildlife? *Yes*
3. Landowner committed lands for the project? *Yes.*
4. Qualified entity willing to take responsibility for the completion, maintenance and enforcement of the project? *TU has extensive river experience. This is their first project of this type in the Big Wood River. Examples of similar projects completed?*
5. Matching funds being sought? *Yes. Some secured.*
6. Last conservation value sought? *How define for this project? LWWP funds are awarded on Build-To basis. County and LWWP require re-vegetation. Applicant monitoring and reporting focus on conservation outcomes and should be addressed as early as possible, definitely by the BCC Conceptual Approval hearing.*

**VI. Project Finances and Status**

Secured funds (private)	\$114,033 (34%)
Request to LWWP	\$170,000 (50%)
Funds remaining needed	<u>\$ 55,967 (16%)</u>
Total Project Cost – estimate:	\$340,000 (100%)

It appears that \$5,533 of the secured funds do not qualify as financial match. If those are excluded from the calculations, the LWWP’s funding portion would be 51.4%.

LWWP funding comparison to completed non-acquisition projects:

- Loving Creek Fish Ladder/Bypass Channel: LWWP \$13,900, 50% of project cost. Other 50% from the landowner. TU project.
- Aerial Seeding post Beaver Creek Fire: LWWP \$48,500, 65% of total seed cost. In-kind value of U.S. Forest Service plane, pilot, etc. not included. Other 35% cash from ICL, Rocky Mountain Elk Foundation, TNC, private foundation, and individual contribution.

See Program Guide Attachment #4, Eligible and Ineligible Costs for Funding, attached.

**VII. LAB Meeting - Please see also the Minutes, included with this Report.**

The meeting consisted largely of a positive, productive discussion between LAB members and TU’s Project Manager, Chad Chorney.

Chair Sinnamon explained to the applicant and Julie Cord (representing the landowners, the Drashner/Gardner family) that the LAB would raise questions in the spirit of trying to be helpful and that the Applicant was not expected to have all the answers. Sinnamon also read from the Program Guide the bar for moving the Project to the Full Application phase:

“After discussion and public comment, the LAB makes a determination as to whether the project,

if implemented as proposed, would generally meet the objectives of the Levy and the goals of the Program, and thus should be pursued further.”

#### Additional information and LAB questions

- What are some things engineers do to stabilize river banks and improve river functionality?
  - *Chorney: elevation work, use large trees with root wads, cut back and slope the bank, etc.*
- Who is engineer/designer?
  - *Chorney: Biota Research and Consulting of Jackson, WY. TU has used them before, and has lots of confidence in them*
- Why this stretch of the river?
  - *Chorney: Biota says there is an obvious problem and an obvious solution*
- Have you initiated the permitting? Who will handle it?
  - *Chorney: The permitting process will begin once the Final Design is done. Biota will handle the permitting, thru Idaho Falls.*
- Will there be active coordination with ITD?
  - *Chorney: Been in communication with ITD.*
- What about other landowners along the reach?
  - *Chorney: Goal is to get Vanoff's on board. They are willing to listen.*
- What about the broader Big Wood River Study?
  - *Chorney: All data collected. Expect report Nov. 15.*
- What about fish surveys?
  - *Chorney: Fish & Game electro-surveyed fish in 2014. Do it every three years. In 2014 there was a dip in young, small fish. IFG does three transects: Boulder Flats, Gimlet, Della View Park.*
  - *If improve habitat for fish, the fishery improves.*

#### Questions for future:

- Need to understand the area: sheep trail location (and ownership, management, potential future changes), swimming hole location, parking, access, uses, zoning, CCRs, easement across SE corner of Gardner/Drashner property, development potential, what parts in 100-year (or other) flood plain or floodway?
- What happens to the swimming hole? (Limited access on BWR for swimming)
- How can the County know that future development on the properties won't harm the lasting conservation values?
- Who will TU coordinate with at ITD?
- What does the bigger picture look like? E.g., ITD bridge design, mitigation

#### LAB Deliberations (synthesized)

- The Pre-Appl and the Project goals are in line with Pre-Appl requirements
- Support for doing something in this reach.
- Amazing spot and close to Ketchum/SV
- Could be a demonstration project
- A lack of native vegetation on the western bank
- Interest in looking at the riparian

- Could the project be broader and cover longer reach of BWR?
- See physical benefits of project but concern about high number of moving parts with multiple landowners, other partners and constituents. Complex project. Can the case be made for lasting conservation benefit? Concern is that the many moving parts and constituents might limit, or decrease the likelihood of, the lasting conservation values.
- Link the extent private benefits with the amount of private contributions. The touchstone is “optimal conservation.”

Vote: The LAB members present unanimously voted to invite a Full Application from TU for this Project.

**Attachment #3**  
**Non-Acquisition Projects - Summary**  
**(often called Restoration Projects)**

**Definition:** Non-acquisition projects are those that do not necessarily include an acquisition of a real property land or water interest. Non-acquisition projects protect, continue, restore, expand, improve or enhance natural systems and processes. Examples include but are not limited to:

- |   |  |
|---|--|
| Restoring a stream                              | Improving wildlife habitat and riparian areas      |
| Rejuvenating decadent vegetation                | Protecting wildlife transit or migration corridors |
| Creating fish passage channel                   | Creating wildlife crossings                        |
| Reconnecting stream tributaries                 | Improving water quality                            |
| Conducting studies directly linked to a project |  |

**Key considerations (See rest of this Guide, Pre and Full Applications, Project Evaluation Criteria for more info):**

1. Lasting conservation results.
  - Applicants must clearly describe the conservation values of their project. LWWP understands that the future of natural systems and processes cannot be guaranteed, that there may be factors beyond the applicant's control, and that unforeseen circumstances may influence the project in the future. Nevertheless, clear and lasting conservation goals that will result from the enhanced natural systems and processes are essential.
  - Non-acquisition projects may be strengthened by including acquisition of a real property interest in land or water, such as a conservation easement on a property where a stream will be restored.
2. Clear measures of completion and success. Project progress, completion and success will generally be measured using a "Build to Plan" approach rather than by Performance Standards.
  - Build to Plan offers easily quantifiable measurements, e.g., cubic yards of dirt moved, length/type of fence installed, and wildlife crossing construction completed.
  - Performance Standards define conservation outcomes, e.g., pond temperature decreases by x degrees, wildlife using the crossing, fish hatch increased x%, water moving through stream. It is essential to clarify such conservation goals in your application.
  - Project completion means the project work is completed as planned and the natural system or process is stable. E.g., a viable healthy plant community exists with 80% cover consisting of the types of plants you sought. There should also be a reasonable expectation that the results will continue after the project is formally completed with Blaine County. LWWP encourages adaptive management.
  - Prompt notification to LWWP of problems, delays or changes is essential.
3. Sound maintenance, management, monitoring and reporting.
  - LWWP will not duplicate government monitoring and reporting requirements, but may have additional requirements. Monitoring/requirements will generally be three years.
  - Government agency or partner involvement may strengthen the project in some cases.
4. Required documentation
  - Project plan, scope of work, timeline, benchmarks, budget with explanation, required permits, contracts
  - Performance bond or insurance policy with Blaine County
  - Signed Grant Agreement between applicant and Blaine County LWWP that defines the terms of project and each party's rights and responsibilities.

**Grant/Funds Dispersal:**

- Cost reimbursements after benchmarks are achieved and invoice(s) submitted.
- A % of the total grant amount will be withheld until all monitoring and reporting is complete.

## **Attachment #4**

### **Eligible and Ineligible Costs for Funding**

#### **Acquisition of an interest in land or water**

- Eligible:
  - Direct costs to acquire the interest, e.g., a percent of appraised value
  - Studies directly linked to a project or potential project
  
- Ineligible:
  - Project planning and administration
  - Transaction costs, e.g., surveys, environmental assessments, appraisals
  - Human resources, e.g., staff, consultants, attorneys
  - Travel
  - Monitoring and stewardship
  - Enforcement
  - Post-funding reports to Blaine County, e.g., annual monitoring reports
  - Notifications and approvals to/from Blaine County per the Grant Agreement

#### **Non-acquisition projects**

- Eligible:
  - Materials purchase, e.g., culvert, fencing, fish ladder, wildlife crossing structure
  - Purchase of trees and plants, except annuals
  - Actual costs of construction, e.g., shovel work, plantings
  - Actual costs of maintenance within the County-required monitoring/reporting timeframe
  - Studies directly linked to a project or potential project
  
- Ineligible:
  - Design and engineering costs
  - Project planning and administration
  - Permit and application fees
  - Transaction costs, e.g., appraisals, environmental assessments
  - Human resources, e.g., staff, consultants, attorneys
  - Travel
  - Supplies
  - Contingencies
  - Incidentals
  - Insurance
  - Performance bonds with County
  - Post-funding reports to Blaine County
  - Maintenance and monitoring after completion of reporting requirements to Blaine County
  - Notifications and approvals to/from Blaine County per the Grant Agreement

## **Attachment #5**

### **Blaine County, Idaho Land, Water and Wildlife Program Permits and LWWP funding**

Applications submitted to the Land, Water & Wildlife Program (LWWP) may require permit(s) for project completion. “Permits” used here include stream alteration permits, subdivision, water rights and others as required by Blaine County, municipalities, the state, and/or the federal government.

To insure that the LWWP project evaluation process and the County’s permitting process interface fairly, effectively, and efficiently for all parties, we will follow these guidelines:

1. As early in the Pre-Application Phase as possible, the Program Coordinator will raise with the applicant the issue of permits that may be required for their project. Land Use & Building Service Department staff will be available to discuss cost, timing, requirements, etc.
2. Applicants will be encouraged to begin the permitting process after the Levy Advisory Board (LAB) considers their Pre-Application. For particularly complex projects, it may be in the applicant’s best interest to begin applying for permits even before their Pre-Application is heard.
3. Applicants shall at least have begun the application process for all required permits prior to the LAB considering the Full Application. The farther the permits are “in process,” probably the better.
4. Generally, all required permits and associated conditions must be approved prior to the BCC approval decision.

The LAB, staff and County will conduct due diligence as described in the LWWP Program materials, and as they see fit.

These guidelines recognize that flexibility has advantages because all projects are different; the LWWP evaluation process and the permitting process should proceed more or less in tandem in order to use resources wisely; and the County cannot grant funding for a LWWP project until all necessary permits are secured.