

Bighorn River System Long-Term Issues Group Meeting Summary Billings, Montana August 23, 2007

Welcome

Participants introduced themselves. The agenda and ground rules were reviewed.

Review of Previous Meetings

An overview of the group's three previous meetings was provided in an effort to bring new participants up to speed so that everyone's time would be used most effectively.

The long-term issues group has met three times prior to this meeting Powell: March 8, 2007, Ft. Smith: April 12, 2007, and Lovell: June 8, 2007. Each meeting included a short field trip. Participants at the first meeting decided to alternate the meetings between Montana and Wyoming and meet approximately every 4-6 weeks. Getting good factual knowledge of all of the issues was identified by participants as important to our success so subsequent meetings have been designed with educational presentations.

At the first meeting, participants identified issues and interests, and agreed that there would be benefits to continue meeting and discussing long-term issues. The list of issues included:

- dam operations,
- coordination of uses,
- recreational opportunities,
- power generation,
- state and tribal water rights,
- administration of water resources,
- effects of flows,
- effects of drought,
- fish and wildlife,
- honoring legal obligations, and
- updating management.

Each subsequent meeting has been designed to bring in experts on one or more of these topics so that we can educate ourselves together. We've talked about dam operations, power generation, project purposes and authorizations, and state and tribal water rights so far. Notes from the previous meetings can be found on the Bureau of Reclamation's website. www.usbr.gov/gp/mtao/

Draft Problem Statement

The draft problem statement has been discussed and refined at the last two meetings. Barb explained that the purpose of a problem statement is to identify major elements of a situation and serve as the basis for a search for agreements, solutions, alternatives, and/or courses of action. The following problem statement was presented.

Local, state, tribal, and federal entities are concerned that the Bighorn River system is not being managed in a way that fully protects and utilizes the system's resources to address the multiple demands, needs, and expectations of the public.

One question was raised. Have any tribes actually expressed concern over present management? If not, the statement should be re-worded to reflect this. The problem statement will be posted at future meetings, but not be an agenda item.

Where are we going?

Lenny Duberstein provided a short power point presentation addressing the questions: How did we get started? Who are we? Where are we now? Where are we going? When are we going to get there?

Reclamation is the convener of this group, but leading from behind and bringing resources, not directing things. At this point the group is working simultaneously on perceptions, problem definition, and alternatives. Some possible outcomes from the group's efforts could include; improved operations and flexibility, improved forecasting, improved sediment management, improved recreation opportunities, improved river habitat, improved economic opportunities, and others. Lenny talked about the importance of documenting the products of the effort with a report that can be developed as we progress, so Reclamation will get started on this report and participants can comment. Progress will be faster on some issues than others.

Draft Charter

The following draft charter was presented based on discussion at previous meetings.

The Bighorn River System Long-Term Issues Group is formed to identify, explore, and recommend alternative courses of action to local, tribal, state, and federal entities responsible for managing the Bighorn River system resources for their consideration as part of a long-term management strategy. The challenge is to re-examine the uses and needs of the Bighorn River system to find an appropriate balance of public benefits, while

recognizing the respective agencies' commitments to authorized project purposes, legal obligations, contemporary needs and public expectations.

One comment was made on the draft charter. The Crow Tribe's Bighorn River and Lake Level Management Plan needs to be considered in our efforts. There was no disagreement expressed that this should be the case. This Charter will be posted at future meetings, but not be an agenda topic. If during the process of meeting the group believes changes are needed, that can be discussed.

Project Authorizations and Purposes

Lenny explained that the Field Solicitor's Office has declined to address the group on this topic. Their role is to advise the federal agencies within the Department. He then provided a quick summary of the authorizations for Yellowtail Dam and Bighorn Canyon National Recreation Area (NRA.)

1944: Pick-Sloan Act authorized the Yellowtail Unit for multiple purposes

1964: Agreement between Reclamation and the NPS on how they will work together

1966: Outdoor recreation use and enjoyment of the reservoir and lands adjacent thereto was authorized. Bighorn Canyon NRA established.

1972: Above 1964 agreement updated. NPS is to provide recommendations to Reclamation on lake levels for recreation. Reclamation is responsible for operations and maintenance of Yellowtail taking into account NPS's recommendations.

Bottom line: Reclamation is the agency tasked with finding the balance in water management for the Bighorn River.

Darrell Cook, Superintendent of the NRA explained that the two agencies work together daily and both are within the Department of Interior. NPS still concurs with the concepts in the 1964/1972 agreement. NPS does not have the technical experience that Reclamation has with water and reservoir management. The NPS recommends a lake level of 3640 feet but recognizes that this is unrealistic. The Park Service is primarily concerned with safety.

General Indian Water Rights Compact Process & Yellowstone River Compact

John Chaffin, Attorney Advisor from the Field Solicitor's Office in Billings, Montana, addressed both of these topics. John works with all of the Department of Interior agencies in Montana and Wyoming.

Technical Activities

Ken Frazer with the Montana Department of Fish, Wildlife and Parks reported on work to study the geomorphology of the river below the dam. The Department has observed that with the drought and releases from the dam, side channels are being adversely affected. Side channels are important for small fish rearing and also to a lesser extent for spawning. Without access to side channels, all fish are in the main river and while production remains good, survival drops because predation by larger fish occurs. Because this functions as a new stream with respect to sediment and cutting, there is lots of down-cutting. Down-cutting with low amounts of sediment causes scouring that makes side channel entrances inaccessible. Based on surveys done in the early 1990's, the Department estimates that a minimum flow of 2500 CFS is needed to maintain fish access to the side channels. They are monitoring stream profiles with three permanent cross-sections. The Bureau of Reclamation has sent personnel from the Denver office to assist. Reclamation staff had an orientation to the river, is doing a literature review, and will identify study needs and possible courses of action.

Gordon Aycock with Reclamation provided a power point presentation on his work looking into the possibility of filling the lake to a higher level than 3640 feet. The space in the reservoir is allocated to different uses including dead space, active and inactive conservation, joint-use (3614-3640 feet), exclusive flood control, and surcharge. Reclamation has looked at the last 40 years of record and recommendations from a private firm in Wyoming (ERG) and run models with modified storage. The average inflow has been 2-2.5 million acre feet. The current storage is 576,000 AF. The inflows during recent drought years have been as low as 1 million acre feet per year. This year the July inflow has been 28% of normal, closely paralleling last year. A higher lake level may still be able to handle flooding and offer more flexibility for other demands. The next step is to see if the Army Corp of Engineers will do an initial study to look at the feasibility and impacts of a reallocation of water between the joint-use and exclusive flood pool. Impacts to flood control, recreation and fisheries would be among the things that need to be considered.

Jeremy Giovando from Reclamation's Reservoir Operations reported that Reclamation has done a sedimentation survey of the reservoir this year. The fieldwork is 90% complete. Results of this work will be available next summer (2008). A lot of information was obtained during the survey.

Lenny reported on a number of other activities that have been initiated:

- John Remus with the Army Corp of Engineers visited the lake in April and provided some study concepts for a sediment study. Lenny is seeking funding within existing Reclamation funds for the study which has been estimated to cost \$91,000.

- He has also started a discussion with the Bureau of Indian Affairs and Crow Tribe to see what water conservation practices might be considered for the irrigation project that diverts below the Yellowtail Afterbay.
- Lenny met with the Friends of Bighorn Lake to start a discussion on recreation. Reclamation staff is starting work on an economic analysis that will address visitation and dollars generated as a result.
- Different types of agreements between federal agencies and others can be developed to take advantage of funds from different sources. Lenny encouraged all participants to consider the funding needs to accomplish these studies.

Wrap-up

The next meeting has been scheduled for Thursday, October 18, 2007. The location in Wyoming is to be determined. Wyoming Game and Fish will present information about the lake fishery and the NPS will discuss recreation resources. There was also a request to bring information to the group on what has been tried elsewhere in similar situations. Reclamation will follow up on this.

Meeting notes will be posted on the Reclamation website.