BOARD OF COMMISSIONERS

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January 24, 2011

Mr. Dan Jewell , Area Manager
Bureau of Reclamation
PO Box 30137
Billings, MT 59107

Re: Draft Big Horn Lake Operating Criteria Evaluation Study & Report

Dear Mr. Jewell:

We, the Board of Commissioners, Big Horn County, Montana, hereby provide the following comments with regard to the Draft Big Horn Lake Operating Criteria.

The purpose for the development of the Yellowtail Dam, at least in part, was for irrigation, flood control, power generation, and recreation. It is certainly debatable depending on who you are talking to the order of importance for these purposes, but all of have significant merit to residents of Big Horn County, Montana.

In discussing the Draft Criteria with our various constituents it has been suggested that the main objective of the Bureau of Reclamation is to provide recreation opportunity for the Horseshoe Bend Area, which may or may not viable recreating area in the future at the rate of sediment being deposited in that area. As per the Draft Criteria, in order for the Horseshoe Bend area to be a "good flat water recreational lake for boating and water skiing" the reservoir elevation would need to exceed 3,630. High lake levels leave inadequate storage for spring runoff and other weather events, often causing lake elevation to exceed 3,640ft. At this water elevation recreation on the north end of the reservoir is negatively impact by the flooding out the campground sites specifically in Black Canyon as well as contributing to the volume of hazardous floating debris. The past two years portions of the north end of the reservoir have been unusable for during times of the peak recreation season.

For Big Horn County, Montana, our major concern would be the increased potential for flooding with reservoir levels exceed the 3,630 water elevation, especially in the event of a major weather occurrence. At this level the flooding pools are being compromised in order to preserve recreational use in the south end of the reservoir. The practice of <u>maintain high reservoir levels</u> through the winter months while <u>releasing large volumes of water</u> into the Big Horn River in the spring must definitely be reconsidered. On occasion over the past few years water release flows from the dam have been in excess of 12,000 cfs. <u>Very dangerous and destructive</u>.

Over the past three years landowner along the Big Horn River have experienced damage by downstream flooding which includes damages to several of the State Fishing Access sites. This issue of bank erosion and property loss adversely affecting the property owners along the Big Horn River can become even more complicated due to the mixed ownership of lands along the Big Horn River. The Big

Horn River corridor has landownership in fee status, tribal trust and allotted trust held by the United States Government. Ownership of lands created by accretion on the Big Horn River has not yet been legally determined, or has a compensation rate been established for lands loss by avulsion. Which may be a legitimate concern if the management of the water levels is ever legally challenged.

Major flooding events are extremely costly to local, state and tribal governments, the Draft Criteria must take every step necessary to mitigate the potential flooding issues. The prediction of season precipitation is complicated, especially with the change in climate in this region.

We cannot ignore the fact that the Big Horn River is known for its world class trout fishing and the economic benefits that go with that role. We recently were presented a report that indicated with the number of angler days and the volume of anglers this river has an annual economic value of over $50,000,000. That is huge for local employment and businesses. We want the integrity of the Big Horn River to remain for many years to come. We are concerned that Draft Criteria would allow for degradation of this river.

In closing, we would like to provide the following recommendations of the Bureau's consideration:

- Mitigate river bank erosion by not allowing sustained high water releases and sudden drops in river flows.
- Maintenance of the established flood pools for flooding control purposes, not for recreation on the south end.
- Adjustment of 30 days to the spring minimum target lake elevation from in March to in April.
- Remove the 2,500cfs river release as optimum to 3,500 cfs an optimum river release based on the statistics for Montana Fish, Wildlife and Parks.

We acknowledge the major undertaking involved with the management of resources associated with the Big Horn Lake and Yellowtail Dam while complying with public safety needs; state water law, and contractual obligations. Best wishes with this tremendous endeavor.

Very truly yours,

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