COMMENTS:

Draft Bighorn Lake Operating Criteria evaluation Study & Report

From:
Big Horn River Alliance
P. O. Box 7884
Fort Smith, Montana 59035

To
Mr. Lenny Duberstein
Montana Area Office
Bureau of Reclamation
P. O. Box 30137
Billings, MY 59107-0137

Or To: Lenny Duberstein, email lduberstein@usbr.gov

Comment deadline: January 28, 2011

Gentlemen,

The Big Horn River Alliance is an organization consisting of over 450 dues paying members. The Alliance was formed in 1995 and is headquartered in Fort Smith Montana. The Statement of Purpose of the Alliance is as follows: "Understanding that the Bighorn River is potentially the finest trout fishery in America, it is our purpose to preserve, protect and enhance the quality of this fishery. In this understanding it is incumbent upon us, the users of the Bighorn to address the following issues and related concerns: Water Flows, Bag Limits, Angler Access, Trout Populations, Tackle Restrictions, Water Quality, Recreational Easements and Education, and General Aquatic Biology."

Under the mandate of our Purpose we are commenting here today.

We speak for those people who make their living here in Big Horn County and those thousands of visitors who enjoy this unique and wonderful recreation opportunity the river provides.

This Draft Criteria Document is disturbing in that it codifies the flow management that has been going on for the past three years. We have experienced sub-minimal fall, winter and spring flows and extremely high late spring and early summer flows.

In essence, the modified operating criteria calls for lake levels at least 8 feet higher than in years past, and sets a minimum target lake elevation just 22 feet below the top of the conservation pool which is 13 feet higher than average. The draft document extols the many "benefits" of higher lake elevations, but curiously ignores or, at the very least, overlooks any downside

It is our studied opinion that this new operating criteria study and report and the resulting river flow changes will degrade the quality of angling experience available. It will disrupt spawning opportunities for the trout, shorten the season, reduce economic opportunity, create continued and excessive stream bank erosion, and reduce waterfowl hunting opportunity. And, in our opinion, these operating criteria will open the door for more extreme and dangerous bank erosion and even flooding. Specifically, it is difficult, if not impossible, to find an up-side to this plan as far as the people of Big Horn County, Montana are concerned.

The Big Horn River below Yellowtail Dam is recognized by America's angling community as one of the finest trout fishing rivers in America. Some would argue that it is the best trout fishing river in America or the world.

The river below Yellowtail dam is, based on surface area, the most heavily fished water in Montana. This tough, resilient river provides angling opportunities for not only local anglers but angers from across America and the World. As many as 100,000 angler days are spent on the river. Fall waterfowl hunting is also a source of recreation and income in the area.

In Big Horn County, Montana **hundreds** of people rely on this angling industry for all or part of their income. Motels, lodges, restaurants, bars, fishing guides and outfitters, shuttle car drivers, maids, tackle shops, grocery stores and many other businesses would not exist without the visiting anglers.

Montana State economists estimated (a number of years ago) that the economic value of the Big Horn River fishery to be in excess of $ 50,000,000 (fifty million) per year.

The season is short on the Big Horn and anything that happens to the river to disrupt the flow of anglers is damaging to the economy of the area.

The background and reason for this management change is a result of the fact that Horseshoe Bend Marina at the south end of Big Horn Reservoir is becoming silted-in and as time passes the lake level must be increased in order to launch boats at that location. Since the construction of the dam the launch elevation at Horseshoe Bend has increased about 30 feet. This is no surprise to anyone. The fact that this would happen has been known for many years. Studies have been done over the years and during the 1990's a study was done indicating that the site would lose its viability as a boat launch site. More recently the Corps of Engineers stated the same thing. During the past year the Area Manager for the Bureau of Reclamation made a statement that "Horseshoe Bend's days are limited."

In spite of these facts, the National Park Service (or someone) continues to pressure the Bureau of Reclamation to increase lake levels to accommodate boat launching in that area.

Eighteen miles down the lake is Barry's Landing launch site. Boats can launch at a lake elevation some 37 feet lower (same minimum elevation as Ok-A-Beh Marina) than at Horeshoe bend. This launch site is being ignored by the Park Service as an alternative to Horseshoe Bend. The Park Service continues spending large amounts of money upgrading and developing Horsehoe Bend knowing full well that they are "beating a dead dog".

Downsides of the proposed criteria:

Lake Recreation: Continued high lake levels over the past few years have caused much debris to accumulate on the lake surface. As a result recreation facilities have been either closed or damaged. Boats are damaged by the floating debris. Water boarding, skiing, and use of personal water craft is "at your own risk". Areas of the lake have been blocked off in an effort to 'corral' the debris. It would be interesting to know how much money the NPS has spent clearing debris over the past few years.

Power generation didn't get much help either, showing small gains overall, but negatives during key seasons such as December through February and July through August.

Flood Control: Maintaining a full lake may seem like a nice idea, but it hinders Bureau of Reclamation's ability to react to situations where the Wind River/Bighorn River drainage receives large amounts of moisture in a short time. We've already experienced this scenario several times, and Bureau of Reclamation has been forced to spike river levels in a hurried attempt to prevent the lake from becoming too full. These high flows make it very difficult to fish the river, plus they erode river banks and channelize the stream-bed. This "full-lake policy" is puzzling in light of the original purpose for Yellowtail. When Yellowtail Dam was completed in 1966, projections were that the lake would take three years to fill; yet, early-fall storm systems filled the lake in just three months! Inflows into the lake reached 44,000 cfs. Should we pretend that this could never happen again? What would happen should those inflows occur again when the lake is full?

Stream Bank Erosion: All along the river between Ft. Smith and Hardin the river banks have been eroded by these high flows. The Bureau, in its efforts to keep the lake full drop the flow levels so dramatically and quickly that the banks do not have an opportunity to dry. The result is that the saturated banks slough off at dramatic rates. This is not just an isolated anomaly. There are many banks that are being eroded.

Recreation

Low flows: Montana Department of Fish Wildlife and Parks has, thru their studies, concluded that flows of 2500cfs are the **minimum** acceptable flow for the well being of the fishery. Bureau of Reclamation continues to characterize 2500cfs as **Optimum** flows for fishery. This is not the case according to Ken Frazer who has stated as much at user group meetings. Again, this mis-stating of what is said further characterizes the Bureau of Reclamation personnel as hearing only what they want to hear.

At such times as the river flows below the minimum 2500cfs the fishery is being degraded. Flow to side channels is reduced and therefore spawning and rearing habitat is dramatically reduced. Aside from the biological impacts of these low flows that have occurred during the past number of years social factors come into play. At sub minimum flows spawning trout become much more available to anglers as the fish crowd the shorelines in their efforts to spawn and are disturbed and the trout are more vulnerable to angling pressure.

Low flows in fall and early winter also degrade the quality and opportunity for waterfowl hunting on the river. Again loss of side channel habitat eliminates areas of refuge for the birds. The side channels are where the birds rest and are hunted. Low flows limit that recreation opportunity. At low flows (below 2500cfs) it is more difficult to maneuver power boats on the river.

High lake levels: Of course, the visible downsides are easy to see and evaluate. The damage to NPS facilities on the lake caused by high water levels and debris is apparent. Damage to the FWP River Access site Grant's Marsh where the road was severely damages and the rest room was ruined and had to be moved and the stream bank erosion that occurred there are very apparent.

The lack of recreational opportunity these closed facilities causes is not so apparent but does exist. It would be interesting to know how much money the NPS has spent on debris removal and control over the past several years. The unusable floating docks and restrooms. And of course the loss of business and income to the concessionaire at Ok-A-Beh Marina. Loss of income to those businesses who service the needs of the boaters who would like to come to Big Horn Reservoir.

High River Levels: The season for recreation on the Big Horn River is short. Those times when the river is extremely high dramatically reduces the numbers of anglers using the river. It is generally accepted that at flow rates of 6000cfs and above the use of the river by anglers is dramatically reduced. The accessible shore angling locations become no longer viable and floating becomes dangerous for all except the most experienced boatmen.

Some boat rental businesses feel it necessary to not rent boats during the excessive high water. The concern is for the well being of the public. Whenever these high flows occur there are boating accidents on the river. Near fatalities have come about during such times.

Flows in 2009 exceeded 6000cfs from June 8th thru July 17th. That is over five weeks. Five weeks is a long time in the life of a guide or outfitter who is getting cancellation calls every day or a private campground operator or motel operator or lodge operator or any of the people who rely upon the river for their income.

This Draft criteria will insure that we will have sub minimal flows thru the fall and winter and extreme high flows in the late spring and early summer. Those losses of recreational opportunity and business losses will continue under this management plan. This criteria needs to be re-evaluated and changes made.

So we now have an inversion of majority rule and minority rights. The interests of a small group of people on the south end of the lake are being served, to the ex-clusion of the majority.

The solution is for the Bureau of Reclamation to manage the river flows to eliminate the sub-minimal long term flows, draft the reservoir sufficiently to easily manage the spring runoff and thus avoiding the damaging and dangerously high flows that we've experienced in recent years

RECOMMENDATIONS:

These recommendations are included after working together with Friends of Big Horn River, Montana Department of Fish Wildlife and Parks, Big Horn County Montana Commissioners, Trout Unlimited, and Magic City Fly Fishers. We also drew from the many years of experience and knowledge of the river that the Big Horn River Alliance Board of Directors and membership possess. We concur and recommend the following management adjustments to the draft management criteria being considered.

Maintain lake elevations at or below 3640 ft. prior to and throughout the July Fourth weekend. The exclusive flood pool should be used as intended. Resulting benefits to lake users and reduction of damage to recreational facilities on the lake, and hopefully, reduction of debris

Move the spring minimum target lake elevation and its concomitant decision point from 3,618ft in March to 3,614ft in April. The benefits to this would include:

- Reclamation will have an additional month of data and forecast information;
- Reclamation sets a lower lake elevation from where it can begin to fill, but;
- Lake elevations will continue to pass through the old March target dates, but will hold at the April target, thus *not requiring further drafting* of the reservoir;
- Provides Reclamation with a better view of water conditions, which will help prevent lake elevations reaching into the flood pool;
- Provides more time to evaluate all stakeholders needs;
- Completely supportive of southern lake recreation deadlines.

With the implementation of the above, remove the calculation of Adjustments to the November through March release for Calculated Release Below 2,000cfs or above 2,500cfs as they will no longer be needed.

Recognize 2,500cfs is not an optimal river fishery flow but a MINIMUM fishery flow.

Mitigate stream bank erosion caused by drawdowns of river releases after periods of sustained high releases.

Please recognize that there are downsides related to the implementation of this Draft Operating Criteria. We would request that you recognize, and document potential or realized adverse consequences of the Draft Operating Criteria in the next draft.

Lastly, please recognize that in addition to stakeholders related to authorized purposes and the Recreation Area, adjacent private, public, state, and tribal landowners, as well as outfitters, guides, lodge owners, river recreationists and the flora and fauna, along with lake recreationists at both ends of the lake, are all stakeholders in the Yellowtail project.

Thank you for your consideration,

Board of Directors, Big Horn River Alliance Board of Directors

Steve Hilbers
Zoe Opie
Roger Hile
Matt McMeans
John Sindland
Shawn Paul Williams
Hale Harris
Dennis Fischer

Advisory Board members Frank F. Johnson
Doug Haacke