

**Guy Canyon Restoration Project
Applicant: University of Idaho
Staff Report to LAB on Full Application**

To: Levy Advisory Board (LAB) and Tom Bergin
From: Wendy Pabich, LWWP Program Coordinator
Date: May 13, 2021

PROJECT SUMMARY

The University of Idaho (“Applicant”) seeks funding for tributary restoration work in Guy Canyon. The project aims to improve wildlife habitat and water quality by increasing the amount of stabilizing vegetation along the stream and the extent of riparian area, while decreasing the extent of eroded and unstable streambank. The project would restore approximately 1,500 yards of an approximately four mile-long creek, and an associated 20 acres of riparian vegetation. It also seeks to balance the needs of livestock and wildlife by decommissioning and restoring dilapidated ponds and replacing them with two off-channel stockwater ponds to improve dispersal of foraging livestock and relieve grazing pressure on the stream and associated vegetation in the hot season. The project will occur on a length of stream that is classified as intermittent-seasonal.

The Applicant requests \$21,525 (or ~23%) of a total estimated project cost of \$92,000 from the LWWP. Additional funds will come from USDA Natural Resource Conservation Service (NRCS), with programmatic support from US Fish & Wildlife Service and the Wood River Land Trust.

The project is part of larger efforts at Rinker Rock Creek Ranch (RRCR). RRCR is a unique research, education and outreach facility offering a hands-on approach to rangeland management and conservation. The working ranch doubles as a living laboratory where science-based practices for land managers are developed. The University of Idaho delivers programming at RRCR to the central Idaho community on rangeland, plants, wildlife, stream restoration and cattle management.

PROJECT HISTORY

This application constitutes Phase II in the larger Rock Creek Ranch project. In May 2017, the Blaine County Commissioners accepted the LAB’s recommendation to fund Phase I for up to \$113,793 (or 64%) of a total project cost of \$176,410 to restore the upper diversion, upper connections and middle diversion, and treat noxious weeds to improve water quality and quantity, wildlife habitat and other conservation values of Rock Creek and nearby areas.

On August 13, 2020, the Applicant submitted a Pre-Application to the County and on November 18, 2020, the LAB heard the project and invited the Applicant to submit a Full Application. This Staff Report constitutes a review of the Full Application, submitted on February 25, 2021.

CONSERVATION VALUES

The goal of the project is to improve riparian areas and stream conditions in Guy Canyon, and to improve wildlife habitat and water quality by increasing and stabilizing riparian vegetation along the stream, decreasing the amount of eroded and unstable stream bank, and increasing the extent of the riparian area. It also seeks to balance the needs of livestock and wildlife by restoring the dilapidated ponds and installing off-channel water to improve the ability of livestock to disperse throughout the pasture and utilize more of the available forage.

The project addresses four goals of the Land, Water, Wildlife Program:

- Preserve working farms and ranches, agricultural lands, natural areas and important open spaces. By addressing pressing rangeland management issues, the project helps preserve working lands and natural areas.
- Protect water quality, rivers and streams, riparian corridors, flood plains, wetlands and water rights.
- Conserve, restore, or maintain and otherwise provide for proper stewardship of lands and waters.
- Protect and preserve wildlife, habitat, and transit and migration corridors.

PROJECT MONITORING

To assess stream restoration efforts, the Applicant will monitor changes in baseline condition of the stream and associated riparian vegetation for two years after restoration has been completed. Monitoring techniques will include vegetation transects, stream channel measurements, shallow ground-water piezometers, and repeat aerial imagery. The Applicant will also assess function of woody structures installed in the stream and related maintenance needs (if any). The assumption is that restoration will increase the area of meadow influenced by groundwater from the stream; the area of the project dominated by wetland obligate species like sedges, rushes, and willows will expand; and the stream channel will accumulate to reduce entrenchment.

To evaluate how well off-channel ponds deter livestock from the stream, periodically during the grazing season, the Applicant will monitor the amount of time water is available in new stock-water ponds and utilized by livestock.

To assess stream recovery related to decommissioning of in-stream ponds, the Applicant will use repeat photography to evaluate in-stream pond conditions before and after decommissioning and conduct periodic visual inspections to determine if decommissioned structures are stable and recovering with appropriate native vegetation.

PROJECT FUNDING

UI has secured funding from the Natural Resources Conservation Service to conduct the stream restoration, with a grant period of 3 years. The U.S. Fish and

Wildlife Service (USFWS) and the Wood River Land Trust (WRLT) have both agreed to assist and support the project. WRLT is a signing partner to a MOU with the UI that describes the WRLT role in assisting UI with projects such as this one. Letters of support from USFWS and WRLT have been received; a letter of funding commitment from NRCS will be required as part of project due diligence.

MINIMUM CRITERIA FOR LWWP FUNDING

All criteria must be met at Full Application 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; UI signed a 99-year lease and an option to purchase with The Nature Conservancy and the Wood River Land Trust, collectively the landowners, in 2019. A Memorandum of Understanding (MOU) between UI and the RRRCR Advisory Board was also signed in 2019 to govern management responsibilities.*
- 4) Qualified entity willing to take responsibility for the completion, maintenance and enforcement of the project? *Yes.*
- 5) Matching funds being sought? *Yes.*
- 6) Lasting conservation value sought? *Yes, however, the LAB will need to address whether and how lasting conservation outcomes will be guaranteed.*

TIMING AND PERMITS

The project was reviewed by IDWR's Stream Protection Program and a No Permit Required letter was issued on October, 26, 2020. The Applicant applied for a US Army Corps of Engineers Stream Alteration Permit on October 27, 2020; the outcome is pending. The Applicant received notice from Blaine County Land Use and Building Services that a permit from the County will not be required.

The NRCS easement on the property stipulates "Altering the existing topography of the property by digging, plowing, or disking, or otherwise disturbing the surface is prohibited, unless Grantee determines such actions are necessary to restore and maintain the viability of grassland and related Conservation Values and provides Grantor, in advance and in writing, approval subject to the terms and conditions Grantee determines are necessary to ensure the protection of grazing uses and related Conservation Values, or unless otherwise specifically permitted by this Deed or the GRP Management Plan." The document contains similar language related to Watering Facilities. It seems the Applicant may need written permission from NRCS for proposed activities and should be required to obtain it.

The Full Application proposed to use existing irrigation water rights for the project. However, investigation by County Staff suggested that stockwater rights would be required for this project and advised the Applicant to seek a transfer with Idaho Department of Water Resource to convert the Beneficial Use for an appropriate portion of the water right from Irrigation to Stockwater to satisfy the requirements of the project. The Applicant has agreed to do so. An update on the

state of the Transfer Application should be requested and provided at the LAB hearing.

ANALYSIS

The Applicant is an eligible and capable entity and the project meets the goals of the LWWP. The project has been thoroughly planned, budgeted, and supported, with a grant request and match consistent with previously funded projects. A few points of clarification remain along with some recommended consideration for the LAB:

- The PreApplication stated the project would restore 1,000 linear feet of stream, and the Full Application suggests 1,500 linear feet would be restored. There's at least one mention in the Full Application of 1,000 linear feet, so clarification is required.
- As in many restoration projects, the question of whether and how the project will provide sufficient guarantee of lasting conservation benefits should be considered.
- All required permissions, permits, and transfers must be obtained as a requirement of LWWP funding.
- A status update on an application to IDWR for water rights transfer should be requested.
- Formal acknowledgement of LWWP contributions to the project should be required in signage on the property, and, where appropriate, in relevant press releases, project descriptions, and other communications as a condition of LWWP funding.