

Flathead Basin Commission Meeting Minutes

February 13, 2013

Tribal Council Chambers, Highway 93, Pablo

FBC Attendees: Tom Smith, Jack Potter, Dean Sirucek, Gale Decker, Jan Metzmaker, Susan Brueggeman, Marc Pittman, Mark Reller, Jim Simpson, Jasmine Courville-Brown, Chip Weber, Rich Janssen, Kate Hunt, Mark Foust and Caryn Miske. Quorum present.

Other Attendees: Jane Johnson (Office of Senator Baucus), Amy Croover (Office of Senator Tester), Anna Schaffeld (Lake County), Lucky Soltz (TU), Tom Cox (Flathead Lakers), Paula Webster (CKST), Dan Bangeman, Patti Mason (Flathead CD), Dick Erb and Clint Folden (CSKT).

Introduction: Elder Tony Incashola from CSKT opened the meeting with a prayer.

FBC Business:

Introductions: New members and visitors were introduced including Dean Sirucek, the new representative from the Flathead County Conservation District, and Gale Decker the new Lake County Commissioner.

Minutes: Members unanimously approved December 12, 2012 meeting minutes.

FBC Appointments: Mickey Sogard, a Governor appointed member expressed her intention to resign her position on the FBC. Chas Cartwright, former GNP Superintendent and FBC Chair, expressed an interest in filling the soon to be vacated position, and would be interested in continuing to serve as Chair. If Chas Cartwright is appointed by the Governor, members would need to consider the possibility of new elections for Chair and Vice-Chair in April if they were in support of Mr. Cartwright serving as the FBC Chair. Members supported the recommendation, and C. Miske was directed to draft a letter to Governor Bullock to support Mr. Cartwright's nomination.

AIS Funding: C. Miske reported on the AIS DNA testing protocol being developed by the Flathead Lake Biological Station for the detection of zebra and quagga mussels. The protocol would allow for greater accuracy, efficiency in monitoring and cost savings. The DNA based water sample testing would allow for early detection as veliger would no longer need to be captured in samples to confirm absence/presence. A total of \$20,000 is needed for the mussel work, and the Province of Alberta (\$10,000) and the US Forest Service (\$7,500) have supplied a significant portion of the funding. C. Miske recommended that the FBC provide the remaining \$2, 500 for this work from its existing base budget.

FBC members unanimously supported this recommendation. Additional funding will be needed in the future for DNA protocols to be developed for aquatic invasive plants, such as Eurasian Water Milfoil.

Paula Webster from CSKT suggested asking Idaho to help pay for an Asian clam DNA testing protocol. Miske agreed this possibility should be discussed with Idaho.

Field trips and retreats: Members reaffirmed that they are interested in both options, and this will be discussed in more detail at the April meeting. Possibilities include but are not limited to: social potluck, retreat on an issue and/or field trips to Glacier or Mack Days.

Presentations/Updates:

Flathead Regional Waste Water Management Group: Susan Brueggeman provided background on the group to date, explaining that Flathead County originally obtained a grant to examine basin-wide waste water management, including but not limited to: infrastructure locations and the ability for new development to tie into the existing system. Carver Engineering's final report on waste water management in the Basin was completed last spring (S. Brueggeman to forward the link to the report to members). There is a need to keep the data current and the group is trying to assess whether continued meeting will be valuable. Jim Simpson added that a great deal of effort has gone into the project, and data has been collected and mapped to identify the location and concentration of both septic tanks and wells. The consultant's report also included alternative forms of waste management and issues associated with pump out stations for boats, outhouses, etc., and where materials are treated (i.e. waste currently spread on fields only some of which is legal). Pump out materials cannot be accepted at treatment plants as they will overwhelm existing systems given their highly concentrated form.

Jim Simpson stated that the Group is considering a waste water treatment symposium within the next few months for City, County, Tribal, and State officials to examine options. In addition, discussion on the following topics is needed:

- local management versus state/federal management;
- planning to address changing water quality standards when budgets are increasingly limited;
- coordination with point source reduction efforts; and
- how reductions on non-point sources to ease the burden on point sources.

Susan Brueggeman followed up by explaining the nutrient limitations set forth by the TMDLS and the potentially high costs facing existing treatment plants if they are required to further reduce their loads. The group is searching for synergistic program solutions at the basin scale to address all of the above concerns.

Dan Bangeman highlighted the concern with winter disposal of pumped material on frozen fields, which typically cannot comply with the requirement of 24 hour plow in for surface dumping.

No actions for the FBC to take at this time.

Fish Management for Flathead Lake, Barry Hanson, CSKT

Barry Hanson provided a history of fish management in Flathead Lake, including a list of introductions, expansions and population crashes:

- 1896 Lake Whitefish
- 1905 Lake Trout
- 1916 Kokanee
- 1968 Mysis (explosion of mysis in the mid 1980's, but declined as lake trout expanded)
- 1981 Kokanee population began to crash (extirpated in 6 years in 1987) due to competition with mysis and predation by Lake Trout
- 1998 Bull Trout listed
- 2000 CSKT-FWP Co-management plan to reduce Lake trout
- 2002 Mack Days commenced
- 2006 Mid-term review showed no appreciable reduction in Lake Trout population. Bag limits increased.
- 2009 Lake Trout reduction Pilot Project approved by FWP Board
- 2010 NEPA commenced to analyze lake trout reduction proposal

Mr. Hanson highlighted the importance of Flathead Lake to the life cycle of Bull trout. He then explained lake trout diet by percent by species, noting that cutthroat trout and bull trout are not a large part of the lake trout diet, but negatively impacted abundance of native species. He also summarized the research to date including: creel census; kokanee reintroduction; sampling; Mack days; growth study; bioenergetics; abundance estimates; lake trout model; lower trophic model; and suppression EIS.

He noted that the FWP-CSKT Co-management plan for the Lake had expired and that Mack days were not sufficiently suppressing the Lake Trout population. In 2012, 50,000 lake trout were harvested at a cost of \$300,000. However, the population is estimated at over one million. At some sites, spawning thresholds have declined to almost zero, elevating concerns about the long term survival of the species.

Pilot projects are being undertaken to ascertain how to best reduce the Lake Trout population, and CSKT will continue to reach out to FWP to develop a fish population management plan designed to suppress non-natives to benefit native fish, including but not limited to: increasing bag limits, fishing contests, commercial fishing and gill netting (subject to the completion of the EIS). If gill netting is pursued, CSKT would target areas that would have minimal by-catch of bull trout. CSKT will not eliminate lake trout from the system, and alternatives in the EIS include reductions of 25%, 50% and 75%.

Next steps for the fish management process:

- expert panel workshop to be convened;
- Release draft EIS and receive comments;
- Analyze comments and select preferred alternative;
- Release final EIS; and
- Commence implement perhaps as early as 2013.

State of Montana has raised points related to unintended consequences that warrant additional analysis and will be analyzed by the panel of experts. Unintended consequences will be weighed against the consequences of inaction. The alternative ultimately selected will be a long term effort in perpetuity.

Chip Weber commented that the USFS has written letter urging scientific review, and he believes CSKT is doing good job analyzing the data.

Dan Bangeman Retirement: The FBC members celebrated Dan Bangeman's retirement, and thanked him for his invaluable service.

Columbia River Treaty Renegotiation update: Mark Reller and Rich Janssen provided an update on the modeling efforts, status of discussions, and future meeting dates. The Treaty, which was originally designed to address flood control and power generation, can be retained, or terminated/modified with 10 years notice, starting in 2014. In 1964, the U.S. prepaid for 50 years of flood control at a cost of \$60 million. In addition, power benefits generated in the U.S. are shared with B.C. – typically generating \$250-300 million annually for B.C. The Treaty is likely to be amended by 2024 and will include changes to: flood control (may include relaxed standards); greater emphasis on ecosystem function (i.e. reconnecting floodplains, fish passage, etc.) and renegotiation of costs. Parties are currently discussing what issues need to be resolved via Treaty versus issues that can be resolved using other means.

The parties are currently working on iteration 3 of the alternatives which are due to the State Department in December 2013. The alternatives will likely include ecosystem function, and Brian Marotz from FWP is on the technical team representing the State of Montana. Rich Janssen added that the parties had done a good job of collecting data and identifying alternatives. Reller highlighted the possibility of a Treaty Savings Fund for use for improved ecosystem function. Washington and Oregon are already requesting additional water from Canada for irrigation projects. Reller concluded by encouraging the FBC to be involved early in the process given the Treaty's impact on water supply and ecological function in the Basin.

FBC Report: C. Miske reviewed and distributed the FBC 2011-2012 Biennial Report.

AIS Update:

AIS legislation will be moving through the legislature, and it appears that the bill will address many of the concerns identified by the FBC. The legislation is not yet public, and we will have more details as the session progresses. C. Miske to continue to work with all relevant parties to assist as needed.

Americas Great Outdoors (AGO) Initiative for the Crown of the Continent continues to pick up momentum. One of the identified AGO's goals for the Crown is to better address invasive species. C. Miske is participating on the invasives AGO subcommittee which has identified a series of actions that

can be undertaken to improve AIS prevention efforts, including border inspections. USFS has contributed \$7,500 to the development of the DNA protocols for zebra and quagga mussels (see above).

The Governor's AIS Blueprint has dramatically shifted AIS prevention efforts, and includes several measures which will greatly enhance AIS prevention in the Basin, including but not limited to:

- Defined protocols for quarantine;
- Montana Department of Transportation inspection stations for commercially hauled boats;
- Realignment of Program from Hatchery Bureau to Habitat Bureau; and
- Create an ad hoc steering committee to oversee AIS activities.

Inspection stations:

- Highway 2 inspection station still in flux. C. Miske continuing to work on details for station.
- Libby/Eureka ACE inspection station on track for new location to provide enhance protection for the Flathead.
- Clear water inspection station moving forward. Will need to consider differential staffing to allow for peak traffic times and cost constraints.

Other legislation of interest: Ed Lieser's bill pending which would require septic inspection upon transfer of property. FBC members tentatively supportive, assuming the bill gets out of committee.

Public comments: None.

New Business: Whitefish Septic Leachate Commission – Jan Metzmaker reviewed the outcome of the Whitefish Lake Institute study which identified 4 “hot spots” on Whitefish Lake. The Commission is currently seeking funding for a feasibility study to address septic contamination to the Lake.

Future Meeting Topics: Keystone Pipeline (if it gets approved); updates from Waste Water Management Group and Whitefish Septic Leachate Commission, River Honoring DVD, TMDL update in June.

Meeting adjourned at 2:30.