

# VALLEY CREEK PRESERVE MANAGEMENT PLAN

June 8, 2017



Prepared by:  
Wood River Land Trust  
City of Stanley

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## **Introduction**

### **a. Intent**

The intent of this Management Plan is to describe the Valley Creek Preserve, its natural and significant resources and context within the community, and to outline management goals, action items, and timelines. This plan will be implemented by the Wood River Land Trust (“Land Trust”) and partnering organizations, such as the City of Stanley, reviewed on an annual basis, and updated or revised as necessary. This Management Plan is meant to be adaptive and modified over time. This may include adding new information, updating the status of natural resources, revising goals and action items, and updating budgets. Appendix A: Footnotes explains the use of certain terms and language throughout the Management Plan.

### **b. City of Stanley Agreement**

The Land Trust and the City of Stanley signed an Agreement in October 2016 that described how both entities would cooperate in management of the Preserve (Appendix B: Agreement between Wood River Land Trust Company and City of Stanley, Idaho). The agreement term is one year so that funds are not committed prior to the City’s annual budgeting process. As described in the Agreement, both entities will share costs for management, due diligence, and creation of this Management Plan. In years thereafter, the Agreement will specify how the two entities will share management and improvement costs. At some point in the future, the Land Trust may convey the Preserve to the City with appropriate restrictions honoring its acquisition and intent of the grant funding received. As the current landowner, the Land Trust retains decision-making authority that is guided by this Management Plan and its Agreement with the City of Stanley.

### **c. Community Management Planning Process**

In 2016, the Land Trust hired EnviroIssues, a neutral public involvement and facilitation firm, to facilitate two public meetings on Valley Creek Preserve management. The intent was to gather public input during the management planning process so that the Land Trust and City of Stanley could incorporate the community’s vision, as appropriate, in the management for the Preserve. The first meeting was held on August 2, 2016 and the second on September 22, 2016 at the Stanley Community Center. During these meetings, participants commented on draft goal statements and identified potential action items to achieve these goals (Appendix D: Community Management Planning Meeting Summaries). Outcomes of those meetings are incorporated into Section III of this Management Plan as goals and action items under the following plan sections.

### **d. Goals, General Property Description, and Conservation Values**

In 2015, the Land Trust purchased the only remaining tract of relatively undisturbed wet meadow and riparian habitat along Valley Creek within the City of Stanley, the “Valley Creek Preserve” or “Preserve.” Prior to the acquisition, the property consisted of 27 subdivided lots along one mile of Valley Creek. Valley Creek has been designated as critical habitat for Chinook salmon, sockeye salmon, and steelhead (Appendix F. USDA-FS, 2008.) It contains migratory, spawning, and rearing conditions in the main channel, tributaries and off-channel habitat.

The Valley Creek Preserve is iconic within Stanley and the Salmon River watershed. It is highly visible, and its scenic and habitat values are treasured by the community. The Preserve's proximity to the Stanley City Hall and Community Center, the Stanley Interpretive and Historical Association, and several hotels and businesses present an opportunity to create a permanent natural area with educational elements that the community and visitors can enjoy. Once acquired and protected, the Land Trust worked with the local community and stakeholders to develop this management plan.

#### **e. Location and Directions**

Valley Creek Preserve is located in Stanley off Valley Creek Rd. ([Appendix C. Valley Creek Preserve Map](#)). It can be accessed from Valley Creek Rd., off Highway 21 and Highway 75. Valley Creek Rd. is private through the adjacent subdivision.

#### **f. History of Property and Acquisition**

The Valley Creek Preserve was historically owned by the Piva family, who farmed and ranched in the Sawtooth Valley. It was deeded to the Sawtooth Land Corporation in 1971, then conveyed to Stanley Sawtooth Estates, and then to Valley Creek, LLC. The Sawtooth Land Corporation platted the property into two subdivisions: Sawtooth Terra Tracts and Valley Creek Tracts, each with its own Covenants and Restrictions. The Stanley Sawtooth Estates also performed platting and survey work during its ownership.

The Hosac family, of Stanley Sawtooth Estates, first contacted the Land Trust in the early 2000's to discuss a conservation transaction. Fourteen years later, the two entities engaged in conversation with the goal of acquiring funding for the Land Trust to acquire undeveloped parcels of land within the two subdivisions that contained wetlands and floodplain habitat essential to the riparian and aquatic ecosystem. The Land Trust received funding from the Snake River Basin Adjudication Habitat Trust Fund via the Governor's Office of Species Conservation and the Upper Salmon Basin Watershed Program for this acquisition ([Appendix E: Grant Award Letter](#)). Valley Creek, LLC, made a significant donation in the bargain sale of the property.

The Land Trust's purposes for acquiring the Valley Creek Preserve include preserving anadromous fish habitat, aquatic and riparian areas and open space that provides appropriate public access to the community and visitors.

## **II. Natural Resources**

### **a. Water Resources**

Valley Creek is the most upstream major tributary to the Salmon River, and the drainage contains approximately 200 miles of perennial streams (USDA – FS, 2008). The Valley Creek Preserve is located on the lower end of the Valley Creek drainage, close to where it empties into the Salmon River. Before Valley Creek enters the Preserve, it is joined by Goat, Iron, and Meadow Creeks. The Valley Creek floodway averages 650 feet in width and contains former, current, and developing channels ([Appendix F: USDA – FS, 2008](#)). It is a "response" reach where energy is dissipated through meanders and multiple channels. The channels are dynamically stable, and will continue to migrate across the floodplain, if left undisturbed.

There is one Idaho State water right (71-7016) appurtenant to the Preserve for heating and recreation of the hot springs. There is a wooden building enclosing a concrete structure that was used as a private soaking pool.

#### **b. Habitat Types and Biotic Communities**

Historically, Valley Creek and its tributaries supported Chinook salmon (*Onchorhynchus tshawytscha*), sockeye salmon (*Onchorhynchus nerka*), steelhead (*Onchorhynchus mykiss*), bull trout (*Salvelinus confluentus*), westslope cutthroat trout (*Onchorhynchus clarki lewisi*), and other native fish species; more recently however, residential development and irrigation diversions have impacted Valley Creek and its fish populations (Appendix F: USDA-FS, 2008). Between 2010 and 2016, Chinook salmon redds were documented on Valley Creek Preserve annually, and steelhead are also thought to spawn in this reach (IDFG, written comm. and Appendix G. Shoshone-Bannock Tribes Valley Creek Fish Population Information). The Shoshone-Bannock Tribes operate a juvenile screw trap just upstream of the Valley Creek Preserve, and estimated emigration of 39,237 Chinook salmon juveniles (SE 6,904) in 2015 and 8,659 Chinook salmon juveniles (SE 1,874) in 2016. The Tribes also estimated adult escapement of 216-315 Chinook salmon between 2014 and 2016.

The Valley Creek Preserve contains migratory, spawning, and rearing habitat. Substrate is mainly gravel and cobble, and riparian vegetation includes mature willows, sedges, forbs, and grasses typical of the Salmon River basin. Sedimentation, restricted flow, temperature, physical barriers, and instream structures are existing limiting factors for fish within Valley Creek. These limiting factors are mainly the result of residential development and irrigation diversions upstream. Residential development and irrigation diversions disturb streambanks, increase sedimentation, remove instream structures, create physical barriers, and alter flow regimes.

Other wildlife seen on the property include waterfowl, migratory songbirds, moose, mule deer, and elk.

#### **c. Species of Concern or Indicator Value**

There are four fish species of concern that are known to exist in Valley Creek: Chinook salmon, steelhead, bull trout, and sockeye salmon. The Proposed ESA Snake River spring/summer Chinook Salmon and Steelhead Recovery Plan identifies the Valley Creek Chinook salmon population within the Upper Salmon River spring/summer Chinook Salmon Major Population Group (NOAA Fisheries, 2016). The Salmon River Steelhead Major Population Group includes the Valley Creek steelhead population. Recovery plans for these four species all support the protection of stream and riparian habitat, floodplains, and wetlands from development and actions that increase erosion and sedimentation.

#### **d. Adjacent Land Use**

Valley Creek Preserve is within the City of Stanley and is bordered by residential and commercial development. National Forest System lands administered by the USDA Forest Service (USFS) border the Preserve to the north, and contain the Sawtooth Interpretive Historical Association's museum by special use permit.

### **III. Management**

#### **a. Administration (Safety, Maintenance, and Stewardship)**

*Goal C.1 Create a mechanism for ongoing management and stewardship of the Preserve, including security, infrastructure, property expenses, weed control, and maintenance of the natural environment. Additional expenses, such as restoration projects, public facilities, and Preserve staff should be considered as such items are planned for.*<sup>1</sup>

##### Near-term Action Items (2017-2018)

1. Utilize existing or new partnerships with federal, state, and local governments, organizations, and community groups. Determine what each partner can contribute to the Preserve.
2. Determine management and stewardship needs and costs.
3. With Valley Creek and Sawtooth Terra Tracts homeowners, identify issues with Valley Creek Road and explore options for long-term maintenance of the road that may also improve habitat.

##### Long-term Action Items

1. Create a long-term maintenance plan that articulates a budget and mechanisms to accomplish needs.
2. Create a long-term plan for public access elements (signage, facilities).
3. Research funding opportunities to sustain long-term maintenance and stewardship.

#### **d. Fisheries/Fish Habitat/Water Quality**

*Goal D.1 Restore and maintain fisheries habitat, including high water quality, beneficial instream treatments, and healthy streamside vegetation. Protect the health of native fish habitat within the Preserve.*<sup>2</sup>

##### Near-term Action Items (2017-2018)

1. Gather baseline information on fish abundance, spawning redds, water quality, riparian vegetation, and streambank stability. Collect available information from NOAA Fisheries, Idaho Department of Fish and Game, the US Forest Service, and the Shoshone-Bannock Tribes.
2. Create a list of desired habitat restoration or enhancement treatments and protection actions, feasibility, and cost estimates. Utilize the EPA's wetland study completed by Confluence, Inc. in 2010 to inform desired restoration and enhancement treatments.
3. Identify the appropriate and sustainable level of public access and areas suitable for concentrated public use. Evaluate possible impacts on natural resources.
4. Investigate the possibility of locating the Shoshone-Bannock Tribe's Valley Creek screw trap within the Preserve.

#### Long-term Action Items

1. When evaluating uses of the hot springs, analyze impacts to fisheries and aquatic habitat.
2. Solicit guidance from NOAA Fisheries, IDFG, USFS, and the Shoshone-Bannock tribes when habitat restoration, enhancement, or protection actions are proposed.

*Goal D.2 Restore or enhance current floodplain and wetland function within the Preserve.*

#### Near-term Action Items (2017-2018)

1. Promote beaver use within the Preserve while managing their compatibility with other local values and constraints.
2. Gather baseline information regarding the current status, function, and threats to the Valley Creek floodplain within and adjacent to the Preserve. This includes soliciting guidance, data, and studies from agencies such as the Army Corps of Engineers and WPA, as well as private professionals and/or surveyors.

#### Long-term Action Items

1. Assess the potential to restore or enhance stream flows under Valley Creek Road to determine appropriate action.
2. Insure that any restoration actions do not adversely affect safety and security.

### **e. Wildlife Habitat**

*Goal E.1 Preserve, restore and/or enhance wildlife habitat within the Preserve.*

#### Near-term Action Items (2107-2018)

1. Gather baseline information on wildlife habitat and use.
2. Create a list of desired habitat restoration or enhancement treatments and protection actions, feasibility, and cost estimates.
3. Implement noxious weed control, prevention, and management, utilizing mechanical or biological weed control where practicable.
4. Remove old fencing.

#### Long-term Action Items

1. Solicit guidance from NOAA Fisheries, IDFG, USFS, and the Shoshone-Bannock tribes when habitat restoration, enhancement, or protection actions are proposed.
2. Insure that any restoration actions do not adversely affect the safety and security of any existing structures or infrastructure.

### **f. Public Access/Recreation Uses**

*Goal F.1 Provide and maintain appropriate public, no-fee, non-motorized access to the Preserve.<sup>3,4</sup>*

#### Near-term Action Items (2017-2018)

1. Determine appropriate and compatible public access opportunities, which include fishing, walking, biking, equestrian, and snowmobiling. There are no current public access parking areas specifically for Valley Creek Preserve.
2. Determine public access needs and possible access points,. Consider locations for Americans with Disabilities Act (ADA, 1990) -compliant access, if feasible. Discuss possibilities with IDFG, USFS, and other partnering organizations. Develop an access plan that considers alternative future public access points, feasibility, and purpose. Incorporate interpretive and educational goals as specified in the Preserve Interpretive and Educational Plan.
3. Consider protection of wetlands and the floodplain, impacts to fish and wildlife habitat, maintenance, connectivity to existing trails and parking, and adjacent property use.

#### Long-term Action Items

1. Incorporate interpretive and educational goals as specified in the Preserve Interpretive and Education Plan into any additional public access points.
2. For any additional public access points, consider protection of wetlands and the floodplain, impacts to fish and wildlife habitat, maintenance, connectivity to existing trails and parking, and adjacent property use.
3. If nearby facilities are not adequate, consider improving or adding public sanitation facilities adjacent to the Preserve.<sup>5</sup>

#### *Goal F.2 Determine and implement long-term management for geothermal resources within the Preserve*

#### Near-term Action Items (2017-2018)

1. Facilitate discussions with the public, adjacent landowners, and agencies to determine community desires and possibilities for geothermal resources.
2. Determine additional information needed to evaluate uses, which may include consultation with the public health department or energy/heating consultants.

#### Long-term Action Items

1. Evaluate available information and community desires for geothermal resources, which may include removing existing structures. Determine costs and feasibility of each alternative.

### **g. Education and Interpretation**

*Goal G.1 Develop a Preserve Interpretive and Educational Plan to help the public understand the nature and value of resources protected by the Reserve, increase public appreciation and enjoyment of the Reserve, while minimizing public impacts to sensitive resources.*

#### Near-term Action Items (2017-2018)

1. Contract for the development of Interpretive Educational Plan.



2. Provide and maintain educational and interpretive signage for the community and visitors that is complementary to the scenic nature of the property and other visitor activities.
3. Design signage and other interpretive elements in coordination with local sources, including the Sawtooth Interpretive and Historical Association, the Stanley Chamber of Commerce, the City of Stanley, local businesses, the Shoshone-Bannock tribes, IDFG, and NOAA Fisheries.
4. Interpretive signage should consider the following topics:
  - Valley Creek Preserve history, project partners, public use regulations, maps, and other directional information. Private property should be pointed out on maps.
  - Natural resources and their uses within the Preserve, including conservation and stewardship of fish and wildlife habitat (particularly salmon), geology, geothermal activity, conservation and wetlands.
  - Conservation of the Preserve and its importance to anadromous fish habitat; discussion of the Upper Salmon Basin Watershed Program and link to other projects within the area.
  - Presence of Shoshone-Bannock Tribal fisheries and historical information on the Sawtooth Valley.
  - The surrounding Sawtooth National Recreation Area
5. Consider other forms of interpretation, including audio information and technology applications.
6. Utilize existing funding to design, construct, and install signage in appropriate locations, that may involve collaboration with the City of Stanley, the USFS, and IDFG.

#### Long-term Action Items

1. Provide security so that signage is not vandalized.
2. Secure funding to maintain and replace signage over time, as necessary.

*Goal G.2 Provide educational and interpretive programs for the community and visitors that are complementary to other visitor activities*

#### Near-term Action Items (2017-2018)

1. Evaluate opportunities to partner with the USFS and the Sawtooth Interpretive and Historical Association for educational programs that involve the Preserve, which may include naturalist tours.
2. Develop educational materials for use at other locations, such as brochures and videos.

#### Long-term Action Items

1. Secure funding for additional interpretive aids, such as binoculars.

## **IV. Funding**

### **a. Acquisition**

The Snake River Basin Adjudication Habitat Trust Fund committed approximately \$1,050,000 for the Land Trust's purchase of the property. Valley Creek, LLC, made a significant donation of the remainder appraised value for the Land Trust's purchase.

### **b. Stewardship Fund and Legal Defense**

The Land Trust has a Stewardship Fund for the purpose of long-term stewardship of its conservation easements and preserves. At the time it accepts or acquires an interest in property the Land Trust shall cause sufficient funds to be deposited in the Stewardship Fund to support its obligation to protect the conservation values of such property in perpetuity or for as long as the Land Trust intends to own property held in fee simple. The amount of the funds applicable to a particular property interest shall be calculated and determined in accordance with the Land Trust's Stewardship Fund Policy, subject to approval by the Board of Directors of the Land Trust. The credit of funds applicable to a given property interest may come from a contribution from the donor or seller of the interest in the property, fund-raising efforts for the purchase of the particular interest, unrestricted funds of the Land Trust or a combination thereof.

At the time of the Valley Creek Preserve acquisition, the Land Trust estimated the annual stewardship costs, legal defense costs, and used a period of 10 years for its Stewardship Fund calculation.

$(\text{Legal Defense} = \$750) + (\text{Stewardship costs} = \$1,000) = \$1,750$  multiplied by 10 years = \$17,500. This amount was transferred into the Land Trust's Stewardship Fund from its Open Space Fund for the purposes of stewarding the Preserve for 10 years.

### **c. Management and Improvements**

The following budget is estimated for the near-term action items listed above. These are items that the Land Trust and the City of Stanley plan to implement in 2017 and 2018, and will include other partnering organizations as indicated above.

#### d. Budget

| Item   | Estimated Cost | Lead Organization     | Funding Source                            |
|--|----------------|-----------------------|---|
| <b>Administration</b>                            |                |                       |   |
| Security   | \$1000         | City of Stanley       | City annual budget                        |
| <b>Fisheries/Fish Habitat/<br/>Water Quality</b> |                |                       |   |
| Natural resource inventories/baseline            | \$450          | Wood River Land Trust | Staff, volunteers                         |
| <b>Wildlife Habitat</b>                          |                |                       |   |
| Natural resource inventories/baseline            | \$450          | Wood River Land Trust | Staff, volunteers                         |
| Weed Control                                     | \$500          | Wood River Land Trust | Staff                                     |
| Fence removal                                    | \$500          | Wood River Land Trust | Staff, volunteers                         |
| <b>Public Access/Recreation</b>                  |                |                       |   |
| Create public access areas – ground work         | \$5,000        | City of Stanley       | City annual budget, Wood River Land Trust |
| <b>Education and Interpretation</b>              |                |                       |   |
| Contract for Interpretive and Educational Plan   | \$5,000        | Wood River Land Trust | Private funding                           |
| Design and install signage                       | \$10,000       | Wood River Land Trust | SRBA funding                              |

#### V. Literature Cited

Idaho Department of Fish and Game, 2014. Patrick Murphy, Written Communication.

NOAA Fisheries West Coast Region, October 2016. Proposed ESA Recovery Plan for Snake River Spring/Summer Chinook Salmon (*Onchorhynchus tshawytscha*) and Snake River Steelhead (*Onchorhynchus mykiss*). Online

[http://www.westcoast.fisheries.noaa.gov/protected\\_species/salmon\\_steelhead/recovery\\_planning\\_and\\_implementation/snake\\_river/snake\\_river\\_sp-su\\_chinook\\_steelhead.html](http://www.westcoast.fisheries.noaa.gov/protected_species/salmon_steelhead/recovery_planning_and_implementation/snake_river/snake_river_sp-su_chinook_steelhead.html)

## Appendix A: Footnotes

1. The goal statement from the management planning meeting documents has been edited to only include administration items. “Self-sustaining funding” has been changed to “mechanism” because there may be other ways to accomplish ongoing needs than a funding source, such as long-term commitments from partners.
2. “Treatments” also encompasses natural features, and has replaced “structures.” Goal 2.2 of the September community meeting summary was added to 2.1 because the action items were similar. “Protect fish populations” has been changed to “habitat.” IDFG, NOAA Fisheries, and the Shoshone-Bannock tribes protect fish populations, and the Land Trust can protect habitat within the Preserve.
3. ADA-compliant access is addressed in actions. Excluding public access within the Preserve and constructing a viewing platform as public access may be a future option, if other alternatives are not feasible. It is a goal of the Land Trust, in general, to provide appropriate on-the-ground public access so that the public can experience and appreciate the natural environment and conservation.
4. Goal 4.3 of the September community meeting summary was incorporated into Goal F.1 because public access included fishing access
5. The public meeting notes show that facilities located off of the preserve are preferred. Currently, the Land Trust does not see a need for public sanitation facilities to serve the Preserve because adequate facilities exist within the City of Stanley. If more facilities are needed in the future, the Land Trust will prioritize off-site locations if that is still desirable. Off-site facilities will require a willing landowner.

## AGREEMENT

between

WOOD RIVER LAND TRUST COMPANY and CITY OF STANLEY, IDAHO

THIS AGREEMENT ("Agreement") is made and entered into this October 1, 2016; by and between WOOD RIVER LAND TRUST COMPANY, an Idaho nonprofit corporation and Internal Revenue Code section 501(c)(3) charitable organization ("WRLT"), with a mailing address of 119 East Bullion Street, Hailey, ID 83333, and CITY OF STANLEY, a municipal corporation ("City"), with a mailing address of PO Box 53, Stanley, ID 83278. WRLT is organized to protect and conserve natural areas and ecologically significant land for scientific, charitable, and educational purposes.

The parties covenant and agree as follows:

**1. PREMISES.** WRLT allows the City to use the real property owned by WRLT legally described in the Warranty Deed attached as Exhibit A to Agreement, and subject to the conditions contained in Exhibit A to Warranty Deed, which is primarily unimproved property (the "Premises"). WRLT acquired the Premises intending to preserve conservation values for the public benefit (as defined in section 1.170A-14(d)(2)(i) of the Internal Revenue Service Regulations) including, without limitation, significant relatively natural habitat for fish, wildlife, and plants; functioning ecosystems and associated native flora and fauna ("Conservation Values").

**2. USE OF PREMISES.** The Premises may be used and occupied by the City and the City's invitees for all purposes consistent with the Conservation Values and for no other purpose or purposes without WRLT's prior written consent. WRLT retains the right to use the Premises for those purposes, and the City allows WRLT to continue to use the Premises for those purposes as well. WRLT is not obligated to provide any services to the City for the use of the Premises, including access. WRLT agrees to provide notice to the City at least 24 hours prior to scheduled events at the Premises of more than 15 people. The City agrees to ensure that all scheduled events by the City at the Premises of more than 15 people are properly supervised and that the Conservation Values are not compromised. The City shall not allow or permit any fire on the Premises such as a fire pit during the Term (as "Term" is defined below).

**3. TERM.** The term of this Agreement shall commence on the last party to sign the Agreement and expire September 30, 2017 ("Term"). This Agreement may be renewed for subsequent years on an annual basis, unless the Agreement terminates as also set out in Section 5, below, or if either party gives notice terminating the Agreement prior to thirty (30) days in advance of the end of the current Term. This Agreement completely replaces this same Agreement with approximately the same terms dated April 29, 2016, in order that the term matches the City's fiscal year.

**4. RENT.** On or before the Term, the City shall pay to WRLT as rent for the Premises, without offset or deduction, the sum of Ten Dollars (\$10.00).

**5. DUE DILIGENCE.** WRLT and the City are developing a joint management plan (the "Plan") for the Premises, including the Valley Creek Preserve. For this Term, the City will work cooperatively with WRLT to complete the Plan, including due diligence and research that will support the development of the Plan. This includes but is not limited to investigation of adjoining property rights, public access easements, land ownership, and original platting and parcel delineation. During the term of this Agreement, the City will be responsible for fifty percent (50%) of the costs up to \$4,000 of such due diligence, including the costs of investigations undertaken by the City. The City, by entering into this Agreement, acknowledges its obligation to and will make all payments due at the time services are rendered. WRLT's remedies will be limited to recovery of only the funds appropriated for the purposes of this Agreement, or termination of the Agreement, automatically effective thirty (30) days after the City fails to cure any default in such payments.

6. **INSURANCE.** During the Term, the City shall, at their own expense, maintain in full force, comprehensive liability insurance, including public liability and property damage of the City, written by a responsible insurance company licensed to do business in Idaho, insuring against liability for claims of damage because of injury to persons and property and for death of any person or persons occurring in or about the Premises resulting from those acts or omissions attributable to the City's use of the Premises. Such policy shall provide insurance against claims under the Idaho Tort Claims Act (Title 6, Chapter 9 IC) with a limit of \$500,000 in aggregate per occurrence, provided, however, the minimum limits of insurance as set forth herein shall be automatically increased at any time the liability limits of Stanley are increased pursuant to the Idaho Tort Claims Act (Idaho Code Sections 6-901, et seq.). Upon request by WRLT, the City shall provide WRLT evidence of acceptable insurance.

7. **EXCULPATORY CLAUSES.**

a. **Exemption of WRLT from the City's Liability.** WRLT shall not be liable to the City or to any other person for any injury to persons or damage to property occurring within or about the Premises arising out of the City's use of the Premises.

b. **Indemnification.** Each party agrees to indemnify, defend and save the other party harmless from and against any and all claims arising from any accident, injury, or damage directly attributable to the intentional or negligent actions of that party or that party's employees.

8. **ASSIGNMENT AND SUBLETTING.** The City shall not assign, mortgage or hypothecate this Agreement, or any interest in this Agreement, or permit the use of the Premises, in whole or in part, by any person or persons other than the City's invitees, without Lessor's prior written consent, which consent shall be in WRLT's sole discretion, but which will not be unreasonably withheld; provided, however, the City shall remain liable for the obligations arising from this Agreement.

9. **SURRENDER.** Except as otherwise provided in this Agreement, below, upon the expiration of the Term, the City shall quit and surrender the Premises, in good condition and repair (reasonable wear and tear, and damage by act of God excepted). The City shall remove all items placed on the Premises on or before the end of the Term, except for permanent structures approved by WRLT pursuant to Paragraph 2.

10. **FIRST OPTION.** The parties agree that upon the City's full performance of the initial term and any subsequent renewal terms of the Agreement, it is WRLT's intent to sell the Premises to the City for a nominal sum to cover WRLT's costs in owning the Premises from the date of the recording of Exhibit A to the end of the Term and any costs associated with the sale to the City. The sale will be of the fee simple interest by special warranty deed, that would exclude exceptions to title insurance from the commitment for title insurance, effective as of the date of the deed, and include any and all mineral rights for the Premises, if any, that exist as of the date of the recording of Exhibit A. Prior to such transfer, both WRLT and the City agree that WRLT may seek a vacation of the existing subdivision plat for the Premises and any sale under the terms of this Agreement, shall be contingent on WRLT's agreement to the vacation. In addition, during the Term, WRLT shall have the ability to record restrictions against the Premises in such a way as to preserve the Conservation Values and that such agreement shall also be a precondition to any sale of the Premises by WRLT to the City.

11. **MISCELLANEOUS PROVISIONS.**

a. **Interpretation.** The headings in this Agreement are inserted for convenience and identification only. No presumption shall exist in favor of or against any party to this ease as the result of the drafting and preparation of the document.

- b. Provisions Severable. Every provision of this Agreement is intended to be severable. The invalidity or illegality of any provision shall not affect the remainder of this Agreement.
- c. Binding Effect. This Agreement shall bind and inure to the benefit of the successors and assigns of the parties.
- d. Governing Law. This Agreement shall be governed by, construed and enforced in all respects in accordance with the laws of the State of Idaho.
- e. No Waiver. No waiver of any breach by a party of the terms of this Agreement shall be deemed a waiver of any subsequent breach of the Agreement.
- f. Amendment. No amendment of this Agreement shall be effective unless the amendment is in writing, signed by all parties.
- g. Time is of the Essence. Time and timely performance is of the essence of this Agreement.
- h. Interpretation. The parties waive the right to make any argument interpreting any ambiguity in the Agreement against each other as a result of having drafted the Agreement or any provision of it.
- i. Dispute Resolution. The parties shall submit any dispute arising out of or related to the Agreement to at least two (2) sessions of mediation of at least two (2) consecutive hours each session prior to commencing any litigation. The parties shall use a mediator or mediators acceptable to both parties and bear equally the costs of mediation. Each party involved in the mediation agrees to pay each party's own attorney fees incurred prior to and during a mediation.
- j. Attorneys' Fees and Costs. The prevailing party in any litigation to enforce the Agreement shall be entitled to reimbursement from the non-prevailing party of all costs and attorneys' fees, including without limitation attorney fees incurred on appeal or in bankruptcy court.
- k. Notices. Any and all notices required or permitted to be given shall be written and considered given as of the date personally delivered or if mailed by registered or certified mail, postage prepaid and with return receipt requested, to the parties at the addresses specified in the Agreement, or subsequent addresses updated by using this notice procedure, then three (3) days following the date mailed.
- l. No Recording Agreement. Both parties agree this Agreement shall not be recorded.
- m. Authority. Each party agrees that it has full authority and consent to enter into and for the below signatories to sign this Agreement.

(Signatures are on the following page.)

THE WOOD RIVER LAND TRUST COMPANY

By   
Scott Boettger, Executive Director

CITY OF STANLEY

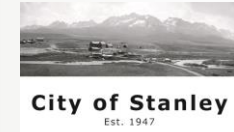
By   
Herbert W. Mumford, Mayor

ATTEST:

By   
Carri Tassano, City Clerk



# Valley Creek Protection



Wood River Land Trust established the Valley Creek Preserve in 2015 to protect salmon habitat, wetlands, and scenic views of the Sawtooth Valley. Historically, Valley Creek and its tributaries supported Chinook salmon, sockeye salmon, steelhead, bull trout, west slope cutthroat trout, and other native fish.

This stretch of Valley Creek continues to provide Chinook Salmon spawning and rearing habitat. The Preserve will protect the natural condition of Valley Creek and critical habitat vital to maintaining endangered and threatened fish populations within the Upper Salmon Basin.



© Chad Chorney

This acquisition was made possible by a grant through the Idaho Governor's Office of Species Conservation and a donation by the Hosac family.



Wood River Land Trust is working with the City of Stanley, the US Forest Service, the Idaho Dept. of Fish and Game, and other organizations and volunteers to develop a long-term management plan. While the plan is in process, we ask that visitors use Valley Creek within the mean high-water mark for FISHING ONLY.

Access points are located on either end of the Preserve. For more information please contact Wood River Land Trust at 208-788-3947.

## ENVISIONING THE FUTURE OF VALLEY CREEK

### PUBLIC MEETING SUMMARY

Tuesday, August 2 | 6:00 – 8:00 p.m.

Stanley Community Center, Stanley, ID

#### WELCOME AND OVERVIEW

Mayor Herb Mumford of the City of Stanley welcomed everyone and provided opening remarks to set the context for the meeting.

Susan Hayman, facilitator, explained her role as the neutral facilitator. She provided an overview of the purpose of the meeting, the meeting agenda (included as Attachment 2), and the ground rules for participation.

#### PROJECT ORIENTATION

Keri York, Wood River Land Trust (WRLT), spoke to the history of Valley Creek and how the property came to be owned by the Wood River Land Trust. Keri reviewed the criteria of the State of Idaho grant that made the acquisition possible and reviewed the overarching goals of WRLT.

Keith Reese, Sawtooth Vision 20/20, described the relationship of the project to Sawtooth Vision 20/20. He said preserving Valley Creek from development was a high priority for Vision 20/20 from the outset. While Vision 20/20 has no oversight role with the new Valley Creek Preserve, it is supportive of its goals and desire to complement other community goals within the Sawtooth Valley.

#### COMMUNITY CONVERSATIONS

Susan introduced the preliminary goal statements, which were developed using input from WRLT, the City of Stanley, and public input over the past several months. Preliminary goal statements were grouped within each of the following four categories:

- Administration (including safety, maintenance, and stewardship costs)
- Fisheries/Fish Habitat/Water Quality
- Public Access/Recreation Uses
- Education/Interpretation

The full list of preliminary goal statements is included as Attachment 3. Susan introduced the small group activity and invited everyone to provide feedback on these goal statements and suggest new goals where they saw fit. She introduced the discussion leaders for each of the small groups.

For the small group activity, participants were invited to sit at any of the four stations established about the room. Each station corresponded to a different topic and had a large sheet with the corresponding goal statements listed. Participants at each station discussed these goals, writing comments and ideas on the sheet provided. Each group met for 18 minutes, then everyone was able to rotate to a new group of their choosing. There were three rounds in total, giving each participant the opportunity to visit three of the four stations based on their own interests. See Attachment 4 for the transcribed notes.

After the small group sessions ended, the larger group reconvened. One person from each station reported back the main takeaways from their discussion. Common themes noted in the report out include:

- Fish, water, and wildlife goals should be the priority – public access should be managed to minimally impact these conservation values.
- There is some overlap in goals among the different topic areas.
- There is uncertainty around the definitions of “restore and enhance” (fish, wildlife, water) , and what restoration opportunities and priorities there might be.
- There are differing interpretations about what the grant criterion of “no additional development” means with regards to educational, interpretive, and other public opportunities within the preserve, but many participants supported some level of additional signage and a public path.
- It is a shared goal to create and maintain a safe and mutually-respective environment for Preserve visitors and adjacent homeowners.
- There are differing perspectives on whether the existing hot springs should be transformed into a public resource or closed for all (relationship to Preserve goals is unclear).
- Any signage should be done in conjunction with SIHA and other community groups, and should fit with the scenic nature of the property
- The WRLT and the City should ensure that the capability exists to properly manage in perpetuity all use, developments, and other aspects of a Preserve management plan.

### WRAP UP AND NEXT STEPS

Keri reviewed the plan drafting process including future opportunities for public engagement. She highlighted the following milestones:

- Public Meeting 1: Identify goals for the management plan (Today)
- Public Meeting 2: Define objectives and action items to work towards established goals (September 2016)
- Management Plan Draft
- Public Review
- Final management plan and implementation (Spring 2017)

### Questions and Discussion

In response to a request to clarify what it meant by certain terms relevant to the goals (e.g. “development”), Keri said understanding the intent of the grant may be more useful than nailing down the definitions in forming goals for the plan; however, there may be opportunities to gain the desired clarification and WRLT will seek that information.

In response to a question regarding the timeline for the final plan, Keri replied that the process outlined in the diagram (see Attachment 5) will take place through the fall, winter, and next spring. Therefore, she anticipates that the final management plan will be completed in March or April of 2017.

Keri noted that there is an outstanding question regarding how Stanley residents can provide feedback if they cannot attend the public meetings. She stated that this question will be addressed soon.

After addressing these questions and discussion, Keri thanked everyone for their time and concluded the meeting.

ATTACHMENTS:

- Attachment 1: Attendance
- Attachment 2: Agenda
- Attachment 3: Preliminary Goal Statements
- Attachment 4: Transcription of small group activity notes
- Attachment 5: Meeting presentation

## ATTACHMENT 1: ATTENDANCE

1. Steve Botti
2. Hans Buhler
3. Mandy Clark
4. Russell Clark
5. Terry Clark
6. Harvey Dale
7. Dia Terese Danner
8. James Denhart
9. Gary Gadwa
10. Laurii Gadwa
11. Barbara Garcia
12. Ellen Glaccum
13. Ann Hill
14. Paul Hill
15. Jim Hosac
16. Susan James
17. Debra LaMorte
18. Ellen Liberteen
19. Amanda Matthews
20. Herb Mumford
21. John Phillips
22. Keith Reese
23. Lem Sentz
24. Jack Stevens
25. Charlie Thompson
26. Christy Thompson
27. Keri York

### Facilitation Team (Envirolssues):

Susan Hayman  
Betsy Kinsey



**Envisioning the Future of Valley Creek  
Public Meeting Agenda**  
Tuesday, August 2 | 6:00 – 8:00 p.m.  
Stanley Community Center

**Meeting Purpose:**

- Clarify expectations for the Valley Creek Preserve management planning process, its relationship to Sawtooth Vision 20/20, and opportunities for public collaboration
- Share and collect public feedback on preliminary goal statements by topic area

| Time      | Topic  |
|-----------|--|
| 5:30 p.m. | <b>Doors open – Informational Materials/Displays Available</b>   |
| 6:00 p.m. | <b>Welcome</b> <ul style="list-style-type: none"> <li>• Opening remarks and introductions – Herb Mumford, Mayor, City of Stanley</li> <li>• Meeting overview – Susan Hayman, Facilitator</li> </ul>  |
| 6:15 p.m. | <b>Project Orientation</b> <ul style="list-style-type: none"> <li>• Community Planning Process – Keri York, Wood River Land Trust</li> <li>• Relationship to Sawtooth Vision 20/20 – Keith Reese, Sawtooth Vision 20/20 Steering Committee Chair</li> </ul>  |
| 6:30 p.m. | <b>Community Conversations – Susan Hayman</b><br>Interactive discussion in small groups on preliminary goal statements for the following topical areas: <ul style="list-style-type: none"> <li>• Administration (including safety, maintenance, and stewardship costs)</li> <li>• Fisheries/Fish Habitat/Water Quality</li> <li>• Public Access/Recreation Uses</li> <li>• Education/Interpretation</li> </ul> |
| 7:40 p.m. | <b>Small group report-outs – Susan Hayman</b>  |
| 7:55 p.m. | <b>Wrap-up and next steps – Keri York</b>  |
| 8:00 p.m. | Adjourn  |

**Preliminary Goals for Valley Creek Preserve** (based on perspective of Wood River Land Trust, the City of Stanley, and public input to date)

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**Goal for the Valley Creek Preserve Community Planning Process**

- Create a comprehensive management plan that reflects the desires of the local community, consistent with the protection, restoration, and conservation goals of the Preserve.
- Create a community asset that connects with other natural, scenic, and historical attributes of the Sawtooth Valley.

**Administration (including safety, maintenance, and stewardship costs)**

- Create self-sustaining funding for ongoing management and stewardship of the Preserve
- Secure funds for restoration or public access elements (trails, parking, signage, etc.)
- Develop partnerships with state and federal agencies, local governments and organizations, and community groups for preserve management and potential long-term ownership
- Create and maintain a safe and mutually-respective environment for Preserve visitors and adjacent homeowners.

**Fisheries/Fish Habitat/Water Quality**

- Restore and/or protect fish and wildlife habitat
- Maintain or enhance current floodplain function
- Maintain or enhance current fish spawning and rearing habitat
- Salmon spawning may limit public access at certain times of year

**Public Access/Recreation Uses**

- Balance the need for public access with the need for resource protection and for not impacting adjacent private interests.
- Maintain appropriate public fishing access.
- Maintain appropriate public non-motorized access.
- Provide motorized public access that doesn't adversely impact adjacent landowners.
- Provide a public opportunity to utilize the hot springs resource within the preserve

**Education/Interpretation**

- Develop educational and interpretive signage focused on salmon habitat, conservation, Preserve history, and its connection to other attributes of the Sawtooth Valley
- Improve user experience through clear and adequate visual interpretive aids and signage

[Blue Italics indicate text added during discussion]

### **Administration (including safety, maintenance, and stewardship costs)**

- Create self-sustaining funding for ongoing management and stewardship of the Preserve
- Secure funds for restorations or public access elements (trails, parking, signage, etc.)
  - *Restoration: are we referring to future or current conditions?*
  - *Develop a “grant task force”*
  - *[Fund a] Port-a-potty*
- Develop partnerships with state and federal agencies, local governments and organizations, and community groups for preserve management and potential long-term ownership
  - *Management – who?*
  - *“Potential” [crossed out]*
  - *NOAA, IDR&G, TPL (trust for public lands)*
  - *Utilize existing expertise (partners) to: assess impacts, interpret, fundraising, design and construction*
- Create and maintain a safe and mutually-respective environment for Preserve visitors and adjacent homeowners
  - *Greater than homeowners—including greater community and businesses*
- *Long term maintenance plan – including budget*
- *Employ adequate staffing*
- *Minimize improvements, (infrastructure, facilities) that require higher levels of safety, maintenance and stewardship costs*
- *Don’t build anything you can’t enforce, maintain and provide safe opportunities*
- *Provide access free to general public – donation*

### **Fisheries/Fish Habitat/Water Quality**

- Restore and/or protect fish and wildlife habitat
  - *“Restore:” is there a need to restore now (should emphasis be on protect and enhance?)*
  - *Define restore*
  - *“Wildlife habitat:” [there is an] invasive species management connection*
  - *“Wildlife habitat:” think about elk habitat and effects to important habitat from city/ land transfer*
  - *[Account for] Pressure from surrounding area*
  - *What’s baseline/desired condition to restore to → If so, what?*
    - *Is system already functioning as well as it can?*
    - *Not a lot to restore → may be more about protection*
- Maintain or enhance current floodplain function
  - *“Enhance:” may affect people and activities*
  - *“Current:” natural*
- Maintain or enhance current fish spawning and rearing habitat
  - *“Maintain:” [what does this mean]??*
  - *“Enhance:” [through] active management*
  - *“Rearing habitat:” this goal may limit public access—at least seasonally*
- *Salmon spawning may limit public access at certain times of year*

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<sup>1</sup> [Contextual words added by Facilitation Team]



- *“Limit public access:” connection to potential impact from tails, etc. (off trail) \**
- *Change “times of year” to “times of year and certain areas” \**
- *Redds*
- *Coordinated with IDFG*
- *Differentiate access between in-stream and land (including effects from adjacent near-stream)*
- *Maintain or enhance wetland function while actively managing beaver*
  - *Beaver can enhance water quality and fish habitat*
  - *Address potential for/be aware/prepare to deal with beaver activity and impacts*
  - *Restore water flow from Valley Creek to wetland; i.e. Area (under road)—to restore natural wetland health/flood plain function*
- *Protect the health of native fishery (e.g. concern with proposal to create a kid’s “fish pond”)*
  - *More protection than enhancement/restoration [fishery already in good shape]*
  - *What use is allowable within protection [what is meant by “protect”]?*
  - *What does “development” mean? (Is a sign-post development?)*
  - *“Maintain” or improve current native fish populations, “super-fish” [genetically superior]*
  - *More structures... more displacement of habitat*
- *Maintain or improve current water quality (public sanitation)*
- *Hot water \* [effects on fishery]*
  - *‘Less is more’ -- don’t love it to death, etc.*
  - *Public access should not trump conservation values*
    - *[However...] Don’t want to totally exclude public, either (education opportunities) \**

#### **Public Access/Recreation Uses**

- *Balance the need for public access with the need for resource protection and for not impacting adjacent private interests*
  - *Add “respecting” adjacent private interests*
  - *Provide effective signage to direct and facilitate public access*
  - *Coordinate with FS to provide adequate public restroom facilities and garbage disposal*
  - *Consider restrictions on public access to protect wildlife (no smoking, pets etc.)*
  - *Link Preserve to other trails and recreational resources and public needs (potties, dog parks, etc.)*
  - *Prohibit drones over Preserve*
  - *Coordinate with FS to provide appropriate partners for public access*
  - *Address needs/ requirements for handicap access*
  - *Evaluate easements over Mountain Village property to facilitate public access*
  - *Clarify what is meant by public access and permitted development (needs to be compatible with protecting spawning habitat, and public safety)*
  - *Address permitted bringing of pets into Preserve*
  - *Clarify primary goal(s) of Preserve—top priorities*
- *Maintain appropriate public fishing access*
  - *Need to clarify ‘appropriate public fishing’*
  - *[Add] “and recreational access”*
- *Maintain appropriate public non-motorized access.*
  - *Horses? Bicycles?*
- *Provide motorized public access that doesn’t adversely impact adjacent landowners.*
  - *Or spawning habitat*

- *Coordinate with County on maintenance of public access road*
- Provide a public opportunity to utilize the hot springs resource within the preserve.
  - *Health issues*
  - *Without additional development violating grant conditions*

### **Education/Interpretation**

- Develop educational and interpretive signage focused on salmon habitat, conservation, Preserve history, and its connection to other attributes of the Sawtooth Valley
  - *“Preserve history:” why it’s a preserve; what that means; why WRLT became involved; what that means; what alternative could have happened; role of WRLT, Fish and Game, programs*
  - *How to respect and engage with the area*
  - *List of rules to keep the area pristine and for safety*
  - *Intended audience: For visiting families and children to complement the activities that visitors already do*
  - *Kind of engagement depends on the season*
- Improve user experience through clear and adequate visual interpretive aids and signage
  - *Does not currently exist, starting from scratch*
  - *Signs to get people to the creek or within the creek?*
    - *Highway directional sign? (no)*
    - *Careful to not get too many people*
  - *Keep engagement/ signage out of the preserve*
  - *Driving through Garden Valley, there are binoculars—stationary viewing points without disrupting habitat*
  - *User friendly for families and children*
  - *Safety*
  - *DO NOT OVER SIGN*
  - *Keep it simple*
  - *Subtle and discrete; should maintain sensitivity and flavor of local area*
  - *Messages to respect private land*
  - *Incorporate school kids here—this creek means a lot to the kids of Stanley*
    - *Come in small, intimate groups; creates greater impression on the kids that way*
    - *Kids would want to come back and when older*
    - *Good for economy*
  - *Boardwalks/platforms*
    - *Keep away from wetlands*
    - *Do not disturb habitat*
    - *Appropriately not obtrusive*
    - *Birding platform*
    - *Board walk, etc.*
    - *Potential walkways at historical center*
    - *Don’t want to see paths/boardwalk from the road, keep boardwalk in the grass*
    - *Is a guided tour or open walkway less obtrusive?*
    - *Maintenance concerns -- How will boardwalk hold up to flooding?*
    - *Use materials that require minimal maintenance*
    - *Could a trail connect to downtown/ Lower Stanley?*
  - *Use local sources of information*
    - *Good local relationships with tribes, particularly SIHA*

- Tribes are waiting to be approached in this process regarding valley management
- Still native land (emphasis that native use is not only in the past, but happens today)
- Local partnerships can prevent over-signage in the area; want to complement existing info
- Coordinate with SIHA, Fish and Game
- SIHA relationship easier to leverage if land is City owned
- Work with organizations that have already done this (e.g. Redfish Lake interpretive walk, advertising and interpretation)
- Messages to include:
  - Information regarding history
  - Tribes—history of camping, artifacts
  - Miners
  - Geothermal features
  - Social history
  - Stakeholders/ partners
  - Share information regarding effects of development that has occurred within the flood plain
  - Educate as many people as possible, broadly, on the relevance of the area, why it is special and important
  - Set precedent for how we need to treat resources/ Earth
  - Conservation and stewardship
  - Message is much more than salmon!
  - Water, geology, other wildlife
- Other Materials
  - Brochures with #s—self guided tour to minimize signs
  - Video for intro the area
  - Could display in Chamber Office and SIHA
  - Potential for social media to share videos, historical pictures
  - Reach people in the Chamber
  - Area should have a guide, pamphlet (more than signs)
  - Waterproof, reusable
  - A publication or book with lots of info that could be sold
  - Potential for funding the Preserve
  - Example: Middle Fork guide
  - Brochures for walking tour, self-guided
  - Would bring people to the creek
  - Expensive
  - Potential walkway tour
  - Naturalists to guide
  - Potentially less obtrusive
- Must play a role in preservation and protection
- Goal is not to bring more people in
- Business-owner goal: to bring people in, more jobs, help economy

**Welcome!**  
*Envisioning the Future of Valley Creek*  
 Public Meeting

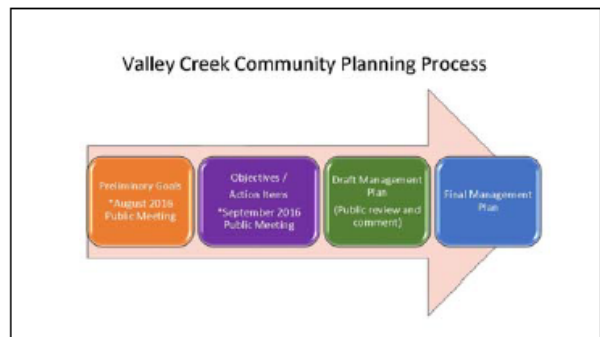


Valley Creek Preserve –  
 Idaho State Grant Criteria

1. No additional development will occur on the property in perpetuity.
2. Property will not be transferred to federal ownership.
3. Reasonable public access must be ensured (coordinated with IDFG).
4. All property taxes are paid to Custer County.

Valley Creek Preserve –  
 Wood River Land Trust Goals

1. Protect and restore fish and wildlife habitat
2. Preserve ecological function of salmon spawning habitat and riparian plant communities
3. Create a community asset that connects with other natural, scenic, and historical attributes of Stanley
4. Secure funding for ongoing management and stewardship of the preserve
5. Collaboratively seek funds for restoration and public access elements (trails, parking, signage, etc.)
6. Develop educational and interpretive signage at visible points for the public



**Goal...**

- Something we wish to achieve
- Aspirational
- Answers “what/why” rather than “how”

**Tonight:** Provide feedback on preliminary goal statements, and suggest any additional goals by topic area

**How Small Discussion Groups Work...**

- There are four groups
- We will have three rotations. Each rotation will last 18 minutes. Please stay with your group for the duration.
- You can choose which groups to visit, and in what order
- The discussion leader’s role is to:
  - ✓ Keep the conversation focused and moving
  - ✓ Encourage everyone to participate
  - ✓ Assist in capturing thoughts on the poster paper
  - ✓ Help the last group choose a spokesperson to share key discussion points

There will be a brief (3-5 minute) report out from each group. The large group will have the opportunity to add key points to the report outs.

**ENVISIONING THE FUTURE OF VALLEY CREEK**  
PUBLIC WORKSHOP SUMMARY  
Tuesday, August 2 | 6:00 – 8:00 p.m.  
Stanley Community Center, Stanley, ID

## WELCOME

### **Opening remarks and introductions**

Herb Mumford, Mayor, City of Stanley, called the meeting to order and provided opening remarks. He encouraged everyone to share their vision for Valley Creek.

### **Meeting overview**

Susan Hayman, facilitator, introduced herself to the group. She explained that she works for EnviroIssues and was supporting the meeting as a neutral third-party facilitator. She introduced Betsy Kinsey, also from EnviroIssues, taking notes for the meeting (see Attachment 1 for a list of meeting participants).

Susan gave an overview of the meeting agenda (see Attachment 2). She highlighted that in the first activity, folks would have the opportunity to give feedback on the goal statements that were created based on the community's feedback from the previous meeting. For the second activity, the main focus of the meeting, participants would share and then identify action items they feel would be the highest priorities to best achieve those goals.

## CLARIFYING INTENT WITH ACQUIRING THE PRESERVE

Keri York, Wood River Land Trust, thanked everyone for coming to the meeting. She stated that she has worked on this project for around three years. She said her intent was to clear up confusion she felt was lingering after the last meeting regarding the criteria for the funding/grant and the intent behind the criteria.

### **Evaluation of Valley Creek for Funding**

Keri presented on how the funding for this project was obtained (see Attachment 3 for presentation slides). Keri explained that the Wood River Land Trust proposed to the Upper Salmon Basin Watershed Program (USBWP) to purchase the Valley Creek Preserve and work with local partners to protect it from development. USBWP provided the funding for the land acquisition. The program's mission focuses on the protection and restoration of the region's significant fish habitats. The Idaho Governor's Office of Species Conservation has the administrative responsibilities for the USBMP.

The program's technical team reviewed the proposal for the land acquisition based on a number of factors, including the wildlife under threat, the location of spawning habitat, surrounding natural area, project vulnerability, the likelihood of landowners participating, etc. The technical team has representatives from many different agencies and organizations involved in fisheries and fish preservation, including the National Oceanic and Atmospheric Administration (NOAA). Once the

proposal passed the technical team's review, it was sent to the specific funding source, in this case, the Snake River Basin Adjudication Habitat Trust Fund. Then the Wood River Land Trust presented the proposal to the Governor's Office.

Keri stated that this project was unique for the USBWP since it was an acquisition. Keri provided examples of other projects of the USBWP, mostly conservation easements, stream reconnections, and habitat improvement projects.

### **Intent of the State grant**

Keri reviewed the Idaho State Grant Criteria that was provided when the proposal was approved. She brought the group's attention to the first criterion from the Idaho State Grant which states that there shall be "no additional development" on the property. Many people at the first meeting asked for clarification regarding what was considered "development" within this criterion. Keri stated it is her understanding that forbidden development includes commercial, industrial, residential development; whereas permitted development includes educational signage, viewing opportunities, etc. Keri then brought the group's attention to the third criterion from the Idaho State Grant which states that "reasonable public access" must be ensured and coordinated with the Idaho Department of Fish and Game (IDFG).

Next, Keri reviewed input from a representative of NOAA regarding the intent of the grant. According to NOAA, the primary purpose of the property should be to preserve and protect the wetlands. Regarding the question of reasonable public access, NOAA encouraged elevated public access so as not to interfere with the wildlife habitat in the creek and discouraged the creation of a formal fishing area as it could interfere with spawning activity. According to NOAA, public access should not interfere with the spawning activity or water flow, and restoration should be encouraged if it is feasible.

Keri pointed out that NOAA and IDFG's perspectives and priorities differ slightly, however they are not in conflict with one another. She found the intentions and criteria similar and believed there to be potential to fulfill everyone's conditions.

Keri then provided some more information about the Wood River Land Trust. She explained the other types of properties the Trust manages and that each property has a management plan that is adaptive and reviewed at least every five years. The management plans typically identify property attributes and key species, as well as any partners and roles. She then shared the revised goals of the Trust for the Valley Creek Preserve.

## **REVISED GOAL STATEMENTS**

### **Present revised goal statements**

Susan introduced the goal statements meant to guide the writing of the management plan for the Valley Creek Preserve. She explained that the goal statements were initially presented at the first Valley Creek meeting (August 2, 2016), at which point community members gave feedback and asked questions about the goals. Input from that meeting was then incorporated to develop revised goal statements. The revised goal statements were now ready for further review by the community. Susan defined the following two terms:

Goal: something we wish to achieve; aspirational; answers “what/why” rather than “how”

Action: steps that are taken to achieve the goal; operational; answers the “how”

The individual, revised goal statements were printed on large sheets of paper and displayed around the perimeter of the room. Susan invited everyone to take a few minutes to walk around the room and leave written comments on the goals. This provided another opportunity for the community to suggest further additions or refinements to the revised goal statements.

### **Collect final comments**

At the conclusion of the poster activity, the group reconvened and Susan asked if there were any new goals added. One proposed alternative goal was added to Category 4: Public access/recreation use, which proposed to “Exclude public access within the Preserve.” Some meeting participants felt that such a goal would be in conflict with the grant criterion to provide “reasonable public access,” while others felt reasonable access could be achieved by providing viewing opportunities into the Preserve.

Regarding Goal 4.2, there was strong agreement among meeting participants that sanitation facilities did not need to exist within the Preserve itself (e.g. sufficient to be on the perimeter). There was also strong agreement that Goal 5.1 be expanded to include other educational and interpretive tools beyond signage. In addition, Goal 4.4 to “Determine and implement the best long-term management for geothermal resources within the Preserve” was broadly affirmed by the meeting participants, in recognition that additional information would be needed to make this determination.

With the exception of the proposed alternative goal 4.1 (“Exclude public access within the Preserve”), there was general agreement among participants regarding the remaining revised goal statements and/or related participant feedback.

Susan thanked everyone for their feedback and said the proposed alternative goal would be included in the next activity for additional feedback. For the transcribed notes from this activity, see Attachment 4.

### **ACTIONS AND PRIORITIES**

Susan introduced the next activity in which participants were invited to review previously identified action items and add action items that would contribute to achievement of each goal. The action items previously identified at the August 2, 2016 meeting were listed under each goal. The group engaged for 15-minutes in commenting on or adding to actions on the displays around the room.

### **Discussion of actions to achieve goals**

Susan reconvened the group. She reviewed each goal and read aloud each new proposed action item and new comment regarding previously identified action items. The following is a brief summary of the conversation the group had regarding the action items. For the complete transcribed notes from this activity, see Attachment 4.

Under Goal 3.1, which states: “Restore and/or enhance wildlife habitat within the Preserve,” a participant added the action: “Don’t do anything that would change the safety and security of the residences on Valley Creek.” As an example, if the earth dam (road) were removed, the flood plain could

change and make the area unsafe for the home owners. Some participants noted that the grant criteria would not require that the river be restored to any specific condition prior to the land acquisition. Rather, it states that the Creek and surrounding area be preserved. The distinction between restoration and preservation could lead to actions that may have adverse effects on the property in the preserve that existed prior to the acquisition. Participants requested a notation to all goals that no actions would be taken that would affect the safety and security of the residences on Valley Creek. While it was noted that restoration of the historic creek flow would be preferred by NOAA Fisheries, it was agreed that any proposed actions regarding the dam would require a flood study undertaken by engineers to determine the impacts and create a feasibility report.

Pet use within the Preserve was discussed, pertinent to both Goal 2.1, "Restore and/or enhance fisheries habitat, including high water quality, beneficial instream structures, and stable streamside vegetation," and Goal 4, Public Access/Recreation Use. There were concerns both about pet waste contaminating the water and about pets harassing wildlife. Several participants felt there should be no pet use within the Preserve, and some thought it should extend outside the Preserve, as pet waste near water can impact water quality. While there was not agreement on the corresponding action, pet use was clearly an area of concern.

The group then turned to actions associated with the proposed Alternative Goal 4.1: "Exclude public access within the Preserve." A suggested action for achieving both goals (original and alternative) was to create a viewing platform for people to look at the Preserve from outside its boundaries. The perspective here was that viewing was still a form of access, and therefore could still be done to serve the original Goal 4.1 as it was written. In response to the question of whether excluding visitors from within the Preserve would violate the grant criteria which stated that public access be provided and maintained, Keri responded that there was no definitive rule regarding whether a viewing platform would qualify as public access necessary for funding, and pointed out that adjacent property owners would also need to be considered. There was agreement on the need for a follow-up conversation with IDFG.

Further discussion about a possible location for such a viewing platform resulted in the suggestion that an area just outside the Stanley Community Center might be a good fit, as it would already have all the necessary infrastructure (parking, utilities, restrooms) of concern with the Preserve. The group was reminded that the funding criteria requires educational material be provided, and some participants questioned whether an experience that is further removed from the Preserve, in this case the viewing platform, would provide a meaningful educational experience. Some felt there would be learning opportunities lost if people could not get up close to the Preserve, but there would still be learning opportunities from afar. Development of a smartphone app that would access information on the Preserve while viewing from a platform was suggested to deliver education from outside the Preserve. The group agreed that options should be thoughtfully considered with their risks and benefits.

Regarding sanitation facilities, there was agreement that such facilities should generally stay on the south side of the Preserve. People agreed that it was premature to decide where exactly restrooms should be built, if any, without there being a plan. There was agreement that the management plan



should include a decision regarding whether to have sanitation facilities specifically associated with the Preserve.

The group further discussed the potential future use of the hot springs within the Preserve, including bathing in the hot springs and the existence of the corresponding shed. A concern was expressed that removing the artificially-created pool and shed may substantially disrupt the creek. It was further noted that if the hot springs are used for bathing, Central District Health should be consulted. The group agreed that this topic would require additional consideration by the Wood River Land Trust.

### **Prioritization from the community's perspective**

Susan thanked everyone for their participation and introduced the next activity. This activity provided an opportunity for community members to individually prioritize the issue areas they felt needed to be addressed by Wood River Land Trust. Community members received four stickers and were instructed to place a sticker next to the action items they felt were most compelling. These stickers are reflected with asterisks in Attachment 5.

This activity revealed that people were most eager to see action regarding:

- Protection of fish habitat and water quality
- Public Access – should there be public access or not? What does that mean for the grant conditions?
- Education/interpretation
- Geothermal use (determination of appropriateness)

### **WRAP-UP AND NEXT STEPS**

Keri thanked everyone for coming and providing input. She reviewed the next steps:

- Wood River Land Trust will translate the information gathered tonight into a management plan draft
- The public will review the management plan draft this winter
- Wood River Land Trust will have a revised management plan draft as early as spring 2017

Keri encouraged participants to call or email her if there were further comments or questions they would like to discuss. Keri and Herb reminded folks that the Wood River Land Trust website and City of Stanley websites have resources regarding the project, including the notes from the public meetings.

### **ADJOURN**

### **ATTACHMENTS**

1. Meeting Participants
2. Agenda
3. Presentation Slides
4. Goal Statements – Transcribed Comments
5. Actions – Transcribed Comments (including individual priorities)

## ATTACHMENT 1: MEETING PARTICIPANTS

1. Steve Botti
2. Hans Buhler
3. Terry Clark
4. Gary Flashner
5. Paul Hill
6. Jim Hosac
7. Vicki Lawson
8. Kathie Levison
9. Ellen Liberteen
10. Herb Mumford
11. Lem Sentz
12. CJ Sherloye
13. Susan VanDerWal
14. Jeff Welker, CJ, and daughter
15. Keri York

### Facilitation Team (EnviroIssues):

Susan Hayman

Betsy Kinsey



**WOOD RIVER LAND TRUST**  
*Protecting the Heart of the Valley  Now and for the Future*

**Valley Creek Preserve Community Planning  
Public Meeting Agenda**  
Thursday, September 22 | 6:00 – 8:00 p.m.  
Stanley Community Center

**Meeting Purpose:**

- Address questions from Meeting 1 regarding intent of the preserve
- Share revised goal statements and collect final comments
- Identify and prioritize actions to attain goals

| <b>Time</b> | <b>Topic</b>   |
|-------------|--|
| 5:30 p.m.   | <b>Doors open – Informational Materials/Displays Available</b>   |
| 6:00 p.m.   | <b>Welcome</b> <ul style="list-style-type: none"><li>• Opening remarks and introductions – Herb Mumford, Mayor, City of Stanley</li><li>• Meeting overview – Susan Hayman, Facilitator</li></ul> |
| 6:10 p.m.   | <b>Clarifying Intent with Acquiring the Preserve – Keri York</b> <ul style="list-style-type: none"><li>• Evaluation of Valley Creek for funding</li><li>• Intent of the State grant</li></ul>    |
| 6:30 p.m.   | <b>Revised Goal Statements</b> <ul style="list-style-type: none"><li>• Present revised goal statements</li><li>• Collect final comments</li></ul>  |
| 6:45 p.m.   | <b>Actions and Priorities – Susan Hayman</b> <ul style="list-style-type: none"><li>• Discussion of actions to achieve goals</li><li>• Prioritization from the community’s perspective</li></ul>  |
| 7:50 p.m.   | <b>Wrap-up and next steps – Keri York</b>  |
| 8:00 p.m.   | <b>Adjourn</b>   |

# Upper Salmon Basin Watershed Program

- Originated from the Northwest Power Planning Council's (NPCC) strategy for Salmon recovery
- Initiated in 1992 when the Idaho Soil Conservation Commission (ISCC) as lead agency.
- In 2000, the original area was expanded to include the entire Upper Salmon River Basin
- In 2010, The Idaho Governor's Office of Species Conservation (OSC) fully assumed administrative responsibilities for the USBWP.



**MISSION:**

**Protect and restore** the region's significant fish habitats through a partnership approach that respects agriculture and improves our way of life.



The Program

Outcomes

History

Advisory Committee

Technical Team

Office of Species Conservation

HOME » THE PROGRAM » OUTCOMES

**Outcomes**

The USBWP takes on projects that benefit entire watersheds, making them healthier and more resilient by boosting fish passage, addressing erosion and water temperature problems, and renewing stream corridors—all in ways that respect agriculture.

**Our work includes:**

- Riparian habitat restoration
- Instream habitat improvement
- Fish-migration barrier removal
- Instream flow enhancement
- Irrigation diversion fish-screening

Since 1993

|   |                          |
|---|--------------------------|
| PRIORITY STREAMS REOPENED TO FISH AFTER BARRIER REMOVAL | 75 Miles                 |
| STREAMSIDE HABITAT RESTORED                             | 352 Miles                |
| INSTREAM FISH HABITAT ENHANCED                          | 494 Miles                |
| STREAMS PROTECTED WITH FENCING                          | 158 Miles                |
| FISH SCREENS REPLACED IN IRRIGATION DIVERSIONS          | 249                      |
| HIGH-QUALITY WATER RESTORED TO SALMON STREAMS           | 61 Cubic Feet Per Second |
| NUMBER OF RESTORATION PROJECTS                          | 544                      |



“In our valley, the mentality has changed. Now, everyone’s seeing the importance of doing these kinds of projects.”

MERRILL BEYELER | RANCHER

CONTACT US

955 Riverfront Drive, Suite B | Salmon, Idaho 83467  
(208) 756-6322/6325

# USBWP Technical Team and Review Process

- Technical team comprised of NOAA, IDFG, USBWP, TNC, Governor's OSC, USFS, Lemhi Regional Land Trust
- Projects are ranked based on habitat protection and importance of anadromous fish species
- Project then goes to specific funding source
  - Valley Creek Preserve – Snake River Basin Adjudication Habitat Trust Fund



.....

**Betty and Dick Baker's** family have ranched 2,000 acres in the narrow East Fork Salmon Basin since 1880. When the Upper Salmon Basin Watershed Program began looking for ways to improve habitat for salmon, steelhead, and resident trout in the area, the Bakers were ready.

[READ MORE](#)

.....

**MISSION:**  
**Protect and restore** the region's significant fish habitats through a partnership approach that respects agriculture and improves our way of life.

*Read more about the East Fork Salmon River Basin »*

# Valley Creek Preserve Proposal

- **Existing Condition:**
  - 10 undeveloped lots containing wetlands and Valley Creek.
  - Mr. Hosac has applied for ACOE Section 404 permits for several of these lots. These permits are currently being reviewed by NOAA Fisheries and could be issued in 2014.
  - Development of any additional lots could impact water quality, watershed health, and salmon habitat.



# Valley Creek Preserve Proposal

- **Specific Actions:**
  - Wood River Land Trust proposed to acquire all remaining undeveloped lots owned by Mr. Hosac, approximately 34 acres.
  - The Land Trust would work with partners in long-term ownership and management of the property.
- **Benefits:**
  - Protection of Chinook salmon, steelhead, bull trout, redband trout, and Westslope cutthroat trout habitat
  - Would preventing any additional residential development and degradation of the stream and riparian corridor.
  - The project presents interpretive and educational opportunities that will increase awareness of the Salmon River Watershed and the USBWP within the Stanley community and visitors



# Valley Creek Preserve – Idaho State Grant Criteria

1. No additional development will occur on the property in perpetuity
2. Property will not be transferred to federal ownership
3. Reasonable public access must be ensured (coordinated with Idaho Department of Fish and Game)
4. All property taxes are paid to Custer County

# NOAA Fisheries:

1. Preservation and protection of aquatic habitat should be the primary purpose of the property, given the funding received to protect it
2. Public access should be managed and directed in a manner that assures sensitive riparian vegetation and soils
3. Restoration of riparian and fluvial processes should be encouraged, such as re-activating the side channel cut off by STT Road, if feasible
4. Recreational access should emphasize upland areas, potentially with scenic overlooks, and interpretive signs of the value to salmon and steelhead
5. Discourage a new formal fishing access site, given spawning habitat



**NOAA FISHERIES**  
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION



# Idaho Dept. of Fish and Game:

1. The property was purchased to preserve the riparian area and eliminate the potential effects of future development
2. The property allows an opportunity for the public to view, learn, or access the riparian area
3. A larger legal access to banks would be nice within the Preserve
  - a. If habitat degradation occurs, it could be addressed in the management plan
  - b. An opportunity to provide a parking area or downstream exit point would be nice
  - c. An overlook with interpretive signs about salmon habitat protection would be nice



# Wood River Land Trust Management Plans

- Characterize the natural, scenic, and physical attributes of each preserve
- Describe unique property attributes or species of concern
- List management goals and action items specific to each preserve
- Describe any partners and roles in preserve management
- Adaptive and reviewed at least every five years

DRAPER WOOD RIVER PRESERVE  
AND FORTY-ACRE PARCEL  
MANAGEMENT PLAN  
(Including Hailey Greenway)  
January 01, 2014



Prepared by Wood River Land Trust  
Chad Stoesz, Stewardship Coordinator 2013 - Present  
Keri York, Stewardship Coordinator 2007 - 2013  
Michelle Zimmerman, Stewardship Coordinator 2001 - 2003  
Stef Frenzl, Stewardship / Planning Coordinator 2000 - 2004

# Valley Creek Preserve – Wood River Land Trust Goals

1. Protect and restore fish and wildlife habitat
2. Preserve ecological function of salmon spawning habitat and riparian plant communities
3. Create a community asset that connects with other natural, scenic, and historical attributes of Stanley
4. Secure funding for ongoing management and stewardship of the preserve
5. Collaboratively seek funds for restoration and public access elements (trails, parking, signage, etc.)
6. Develop educational and interpretive signage at visible points for the public

## ATTACHMENT 4: GOAL STATEMENTS – TRANSCRIBED COMMENTS

Written comments are marked by a capital letter. Any additional comments written by others regarding a previous comment are added as bullet points underneath the comment they refer to.

### 1. Administration (safety, maintenance, and stewardship costs)

**Goal 1.1** Create self-sustaining funding for ongoing management and stewardship of the Preserve, including necessary restoration and maintenance of the natural environment and resources; new construction and maintenance of public facilities, management by Preserve staff, and support for ongoing law enforcement.

- A. Creating self-sustaining funding may not be realistic. Limited public facilities with minimum construction and maintenance as well as law enforcement may be possible within city budgets, provided the option tax is maintained

### 2. Fisheries/Fish Habitat/Water Quality

**Goal 2.1** Restore and/or enhance fisheries habitat, including high water quality, beneficial instream structures, and stable streamside vegetation.

- A. “Monitor, restore and/or enhance” --- add: considering monitoring for and mitigating any effects and/or impacts of non-natural waste (human and non-human) such as from pet waste and storm water pollution. State DEQ already monitors water quality on Valley Creek. It issues reports periodically. If we need additional monitoring, we could request it.

**Goal 2.2** Protect the health and sustainability of [all?] native fish populations within the Preserve.

**Goal 2.3** Restore or enhance current floodplain and wetland functions with the Preserve.

- A. To restore the the original, natural stream channels within the preserve may cause the flood elevation to rise on the developed lot on Valley Creek. I believe a flood study should be conducted before restoring these stream channels.
- B. How would the removal of the earth dam (road) affect the Base Flood Elevation of the developed lots? Changing the Base Flood Elevations could put the current residential development out of the parameters of the city’s Flood Ordinance. The dam was placed to protect the lots, and one has been developed. – Jeff Welker

### 3. Wildlife Habitat

**Goal 3.1** Restore and/or enhance wildlife habitat within the Preserve.

- A. How can you do that by allowing public access to this small preserve

### 4. Public Access/Recreation Uses

**Goal 4.1** Provide and maintain appropriate public, ADA compliant, no-fee non-motorized access within the Preserve.

- A. No access within the preserve is preferred
- B. Where will these visitors park? How will the project accommodate large travel trailers with parking and turn points?

## ATTACHMENT 4: GOAL STATEMENTS – TRANSCRIBED COMMENTS

- C. “non-motorized” should read “non-mechanized” (i.e. include bikes)

**Alternative Goal 4.1** Exclude public access within the preserve.

**Goal 4.2** Provide and maintain appropriate public, ADA compliant, public sanitation facilities within the Preserve.

- A. Reword to “provide and maintain... facilities to serve the Preserve. Not necessarily IN the Preserve.
- B. Public ADA compliant sanitation should not have to be WITHIN THE PRESERVE but rather in the vicinity to provide such services to visitors

**Goal 4.3** Provide and maintain appropriate public, ADA compliant non-motorized fishing access within the Preserve.

- A. “non-motorized” should read “non-mechanized”

**Goal 4.4** Determine and implement the best long-term management for geothermal resources within the Preserve.

- A. Development of the geo-thermal (hot springs) will affect the environment of the wildlife and fish.
- B. Developing the hot springs could have a negative impact on the fish and would certainly have an impact on the residents.
- C. Interpret the geo-thermal resources and allow appropriate public enjoyment/use

## 5. Education/Interpretation

**Goal 5.1** Provide and maintain educational and interpretive signage for the community and visitors that is complementary to the scenic nature of the property and other visitor activities.

- A. In lieu of or in addition to signage, interpretive information could be delivered electronically— smartphones, etc.
- B. History (and current uses) of this area including Shoshone Bannock Tribes. Tribal use is not just historic. Neither are other uses.
- C. Reword to this: “Provide and education and interpretation for...” Signage may be the best type/medium of interpretation but there may be other, better means
- D. “scenic nature” should read “scenic and other natural qualities”
- E. Education of the Preserve is a great idea. I would like to see it be done in a way that does not develop the preserve in any way. For example: Walking paths, etc... We currently have 8 deer living in the preserve and they come back every year. I’d hate to see foot traffic ruin this.

**Goal 5.2** Provide educational and interpretive programs for the community and visitors that are complementary to other visitor activities.

## ATTACHMENT 5: ACTIONS– TRANSCRIBED COMMENTS

Written comments are marked by a capital letter. Any additional comments written by others regarding a previous comment are added as bullet points underneath the comment they refer to. Stars refer to numbers of stickers placed near an item, representing the meeting participants’ priorities.

### 1. Administration (safety, maintenance, and stewardship costs)

**Goal 1.1** Create self-sustaining funding for ongoing management and stewardship of the Preserve, including necessary restoration and maintenance of the natural environment and resources; new construction and maintenance of public facilities, management by Preserve staff, and support for ongoing law enforcement.

**How:**

- *Utilize existing (or establish new) partnerships with federal, state, and local governments, organizations, and community groups. \**
  - *Develop and manage a long-term maintenance plan that articulates budget needs and funding opportunities.*
- A. Develop a long-term plan for new development, if needed, including priorities and opportunities for grant funding and partnership funding\*\*
- B. Add: “Secure adequate funding opportunities to sustain long-term maintenance plan” \*

### 2. Fisheries/Fish Habitat/Water Quality

**Goal 2.1** Restore and/or enhance fisheries habitat, including high water quality, beneficial instream structures, and stable streamside vegetation.

**How:**

- *Establish baseline conditions for fisheries/fish habitat/water quality to determine appropriate restoration and enhancement goals \**
  - *Solicit guidance from NOAA, IDFG, and the Shoshone-Bannock Tribes to protect Chinook salmon spawning habitat, which may include limiting public access to certain areas at certain times of the year.*
  - *Analyze impacts to fisheries and water quality when evaluating options for future use of the hot springs resource within the Preserve.*
- A. “Establish baseline conditions” – Clarify “conditions” – suggest including clear physical perimeters beyond which there are no vehicles, people, or pets \*
- Could be outside Preserve
  - Policy on pets
- B. Add – “Implement appropriate habitat protection actions based on analysis if guidance received... including limiting public access, etc.
- C. Determine baseline conditions rather than establish



## ATTACHMENT 5: ACTIONS– TRANSCRIBED COMMENTS

### **Goal 2.2** *Protect the health and sustainability of [all?] native fish populations within the Preserve.*

#### **How:**

- *Solicit guidance from NOAA, IDFG, and the Shoshone-Bannock Tribes.*
- A. Need to add “implement appropriate habitat protection actions based on analysis if guidance received”
- B. What is done with “guidance” after it is received? Who decides what guidance items are implemented/ establish who is in charge.

### **Goal 2.3** *Restore or enhance current floodplain and wetland functions with the Preserve.*

#### **How:**

- *Assess the potential to restore or enhance stream flow under Valley Creek Road to determine appropriate restoration and enhancement goals*
- *Plan for and actively manage beaver activity within the Preserve. \**
- A. Obtain ACE and perhaps other engineering input to establish impacts of new flow path on the flood plain and potential flood elevations\*\*\*
- B. Make sure that any actions taken do not adversely affect the safety or security of any existing structures that were in place prior to the acquisition of the property. The main purpose of the grant was preservation. \*\*\*\*\*
- C. Obtain engineering data to adequately determine the flood plain with restoring the waterway. Request a new flood study and water model.
- D. Action: Leave the dam (road) alone. \*\*

## **3. Wildlife Habitat**

### **Goal 3.1** *Restore and/or enhance wildlife habitat within the Preserve.*

#### **How:**

- *Establish baseline conditions for wildlife habitat in order to establish appropriate restoration and enhancement goals. \**
- *Implement effective noxious weed control prevention and management activities.*
- A. Actions: Don’t do anything that would change the safety and security of the residences on Valley Creek. \*\*\*\*
- B. Actions: Preserve not restore. No chemicals used in weed control. \*\*

## **4. Public Access/Recreation Uses**

### **Goal 4.1** *Provide and maintain appropriate public, ADA compliant, no-fee non-motorized access within the Preserve.*

#### **How:**

- *Develop an access plan that evaluates the need for trails and boardwalks, and considers the following: protection of wetlands and the floodplain, impacts to fish and wildlife habitat,*

## ATTACHMENT 5: ACTIONS– TRANSCRIBED COMMENTS

“screening” structures with vegetation, maintenance, and connectivity to existing trails and parking. \*

- Design public access elements protective of critical natural resources (e.g. salmon spawning habitat).
  - Design public access elements that minimize adverse impacts to adjacent landowners and community members.
  - Coordinate public access elements with adjacent landowners, including the USDA Forest Service.
- A. Constrict public access elements in a manner to minimize adverse impact on water quality, fish habitat and environment within the Preserve
  - B. Access plan should consider interpretive values, elements to be interpreted—this should drive the where of access. \*\*\*
  - C. Access plan and interpretive plan should be developed concurrently to ensure that they complement each other

### Alternative Goal 4.1 Exclude public access within the preserve. \*\*\*\*

#### How:

- Create viewing platform\*\*
- A. Could apply to [original] 4.1 as written

### Goal 4.2 Provide and maintain appropriate public, ADA compliant, public sanitation facilities within the Preserve.

- Identify and implement the required public health and safety standards required for public sanitation facilities within the Preserve.
- A. Sanitation facilities to serve the Preserve (not necessarily IN the Preserve). Maybe “within or adjacent to Preserve”
  - B. I disagree: Public sanitation facilities must be outside the boundaries of the preserve. \*\*
  - C. Make decision on location as part of planning process
  - D. Don’t put it inside the preserve
  - E. Action. All visitors should stay on the south side of Valley Creek where there are commercial vendors, bathrooms and parking\*\*\*\*

### Goal 4.3 Provide and maintain appropriate public, ADA compliant non-motorized fishing access within the Preserve.

#### How:

- Coordinate with IDFG to develop appropriate public fishing access and adequate directional signage.
- A. Limit fishing access to where it is currently established. Don’t make it a threat to salmon redds, etc.
  - B. What is adequate directional signage?

**Goal 4.4** Determine and implement the best long-term management for geothermal resources within the Preserve.

*How:*

- Facilitate discussions with the public, adjacent landowners, and agencies (including the USDA Forest Service) on specific goals and actions for geothermal resource management. \*\*\*
- A. Seek guidance from Central District Health if used
- B. Goal - determine use or no-use of geothermal resources (bathing). If no use is determined for public - the artificially created pool and shed should be removed to eliminate having to police an attractive nuisance (cleanliness, wild parties, etc.) \*\*
- C. Carry out preliminary cost analysis for “management” of geothermal resources. Determine feasibility of “managing” this resource

## 5. Education/Interpretation

**Goal 5.1** Provide and maintain educational and interpretive signage for the community and visitors that is complementary to the scenic nature of the property and other visitor activities.

*How:*

- Develop a signage plan that prescribes an appropriate amount of signage (prevents over-signage). \*\*\*\*
- Design signage and other interpretive elements in coordination with local sources, including the Sawtooth Interpretive & Historical Association (SIHA), the Stanley Chamber of Commerce, the City of Stanley, and local businesses, as well as the Shoshone-Bannock tribes, IDFG, and NOAA.
- Include interpretive signage regarding:
  - Valley Creek Preserve history, project partners, rules for public use (including encouraging respect for adjacent private property), map(s) and other directions.
  - Natural resources and their uses within the Preserve, including conservation and stewardship of fish and wildlife habitat (particularly salmon), geology and geothermal activity, and conservation and protection of wetlands
  - History of human use of this area, including Shoshone-Bannock tribes, Sawtooth Valley history and economics.
- Develop materials for use at other locations, such as brochures and videos.
- A. Signs may not be the primary means/medium for interpretation \*
- B. Current human use - Shoshone Bannock Tribes, water use, residential use
- C. Utilize other technique than signage (technology like apps) \*\*

**Goal 5.2** Provide educational and interpretive programs for the community and visitors that are complementary to other visitor activities.

*How:*

- Evaluate and implement opportunities to partner with the USDA Forest Service and SIHA for naturalist-guided tours and educational programs. \*

## ATTACHMENT 5: ACTIONS– TRANSCRIBED COMMENTS

- Improve user experience through clear and adequate visual interpretive aids, such as binoculars.
- A. Where would these guided tours be?
  - B. Guided tours would not necessarily preserve the property
  - C. “Programs” could be off-site also

OFFICE OF SPECIES CONSERVATION

C.L. "BUTCH" OTTER  
Governor



P.O. Box 83720  
Boise, Idaho 83720-0195

DUSTIN T. MILLER  
Administrator

304 North Eighth Street, Suite 149  
Boise, Idaho 83702

October 30, 2014

Keri York  
Wood River Land Trust  
119 E. Bullion St.  
Hailey, ID 83333

Dear Keri:

The Snake River Basin Adjudication (SRBA) Board met on Thursday October 30<sup>th</sup> to discuss SRBA project proposals submitted for Round 7 consideration. Thank you for sponsoring a project during this round.

The Board voted to fund the **Valley Creek Land Acquisition** project at requested amount of **\$1,058,042.00**. However, the Board has placed the following conditions on the agreement before the transfer of funds can be completed:

1. The establishment of a conservation easement that insures no additional development will occur on the property in perpetuity.
2. Insure that property will not be transferred to federal ownership under any circumstances.
3. Work with the Idaho Department of Fish and Game to insure that the property has reasonable public access.
4. Insure that all property taxes are paid to Custer County.

Finally, a formalized contract must be signed by both parties in order to receive your award. Said contract will be forthcoming. Because performance of this contract shall begin as of the date of the Board's decision to approve, said date shall be incorporated into the formal contract. Therefore, time for performance began October 30, 2014 and will end on October 29, 2017. The Office of Species Conservation will be contacting you regarding required grant documentation, budget, reporting and reimbursement requirements.

If you have any questions, please contact either Mike Edmondson (208-334-2189, [mike.edmondson@osc.idaho.gov](mailto:mike.edmondson@osc.idaho.gov)) or Jon Beals (208-332-1553, [jon.beals@osc.idaho.gov](mailto:jon.beals@osc.idaho.gov)). Congratulations and thank you for participating in the SRBA Habitat Trust Fund program.

Sincerely,

A handwritten signature in blue ink that reads "Dustin T. Miller".

Dustin T. Miller  
Administrator  
Governor's Office of Species Conservation  
On behalf of the SRBA Board

jwb

Cc (via email): Virgil Moore  
Gary Spackman  
James Yost

|  |                           |  |
|--|---------------------------|--|
| <b>United States<br/>Department of<br/>Agriculture</b> | <b>Forest<br/>Service</b> | <b>Sawtooth<br/>National<br/>Recreation Area</b> |
|--|---------------------------|--|

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**File Code:** 5400/2620

**Date:** March 13, 2008

**Route To:**

**Subject:** Sawtooth Stanley Estates – Substantial Impairment Assessment for Fisheries

**To:** Area Ranger

Continued construction in 2007 within the Stanley Sawtooth Estates development has demonstrated the risks that the full development may present to principle values for which the Sawtooth National Recreation Area (Sawtooth NRA) was created (Public Law 92-400). As required in 36 CFR Part 292.17 (b) (10), and as directed within the revised Sawtooth National Forest Land and Resource Management Plan (FLRMP, Appendix I, USDA-FS 2003) an evaluation concerning the potential of such actions or developments to “substantially impair” the key Sawtooth NRA values is necessary when such risks or concerns are present. This assessment, then, specifically evaluates the potential of the Stanley Sawtooth Estates to “substantially impair” the key fisheries value. The level of this analysis is intended to be commensurate with the current status of the development and the available information.

### **Substantial Impairment**

36 CFR Part 292.17 (b) (10) defines “substantial impairment” as “that level of disturbance of the values of the Sawtooth National Recreation Area, which is incompatible with the standards and guidelines of the General Management Plan”. The direction contained within the Sawtooth FLRMP represents the General Management Plan. Fisheries is a key value identified within PL 92-400, and guidance is provided within the Sawtooth FLRMP regarding the evaluation of “substantial impairment” for the fisheries value. Threats are to be evaluated as to: 1) the period of impact; 2) the area affected; and 3) the importance of the impact on the Sawtooth NRA values (FLRMP, Appendix I).

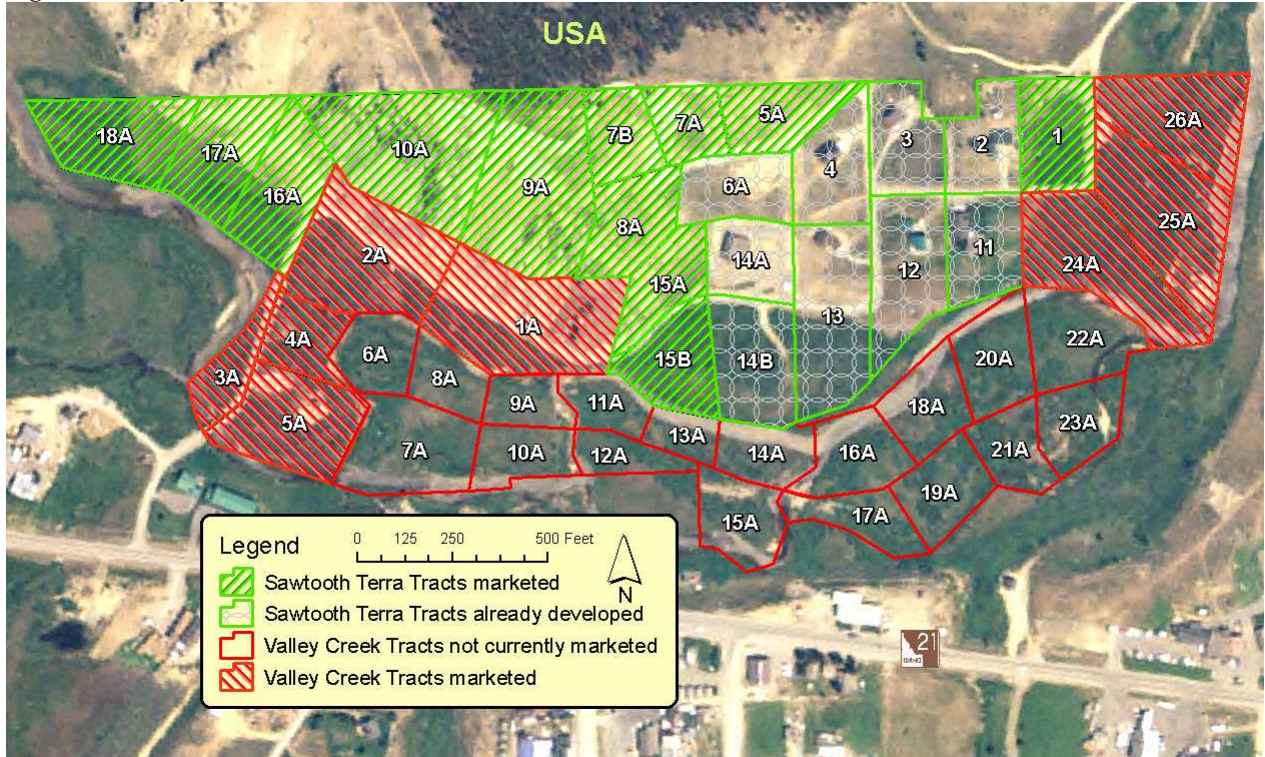
Fish values would be substantially impaired if the proposed development, when considered within the context of the matrix of potential effects and baseline conditions, at any temporal scale, would degrade or retard attainment of properly or appropriately functioning conditions related to the population size, genetic integrity, and habitat of all native and desired non-native fish species at the appropriate spatial scale. Degradation or retardation of attainment of properly or appropriately functioning condition would be determined at the integration scale of the matrix.

This analysis is considered within the spatial context of the IGST Local Population, identified and characterized within the Valley Creek Subpopulation biological assessment (USDA-FS 2006). This area includes the lower reaches of Valley Creek and it’s tributaries. Given the nature of the proposed development, the temporal scale of this analysis considers effects that may be “temporary” (less than 3 years), “short term” (3 to 15 years), and “long term” (greater than 15 years).

### **Platted Development**

The Stanley Sawtooth Estates straddle Valley Creek near it’s confluence with the Salmon River, within sections 3 and 4, T 10 N, R 13 E, BM. From drawings prepared by a consultant in September 2006, the Stanley Sawtooth Estates includes 47 lots within the platted Sawtooth Terra and Valley Creek Tracts (see Figure 1). The lots range in size between 1 and 3 acres. As of this date, 9 lots appear to have seen some level of development. In 2006/2007 the most recent development occurred within Lot 14B, where a house and garage were constructed within the Valley Creek floodplain. Twenty lots are currently being marketed by the developers (The Hosac Company Inc.), including considerable exposure on the internet (*stanleysawtoothestates.com*, and at least a dozen other registered mirror domains such as

Figure 1: Stanley Sawtooth Estates



yankeefork.com, stanleycity.com, and alturaslake.com) which are accessible internationally. The remaining lots (17), along the core of the Valley Creek bottom, do not appear to be actively marketed at this time, possibly awaiting regulatory and/or other preliminary measures.

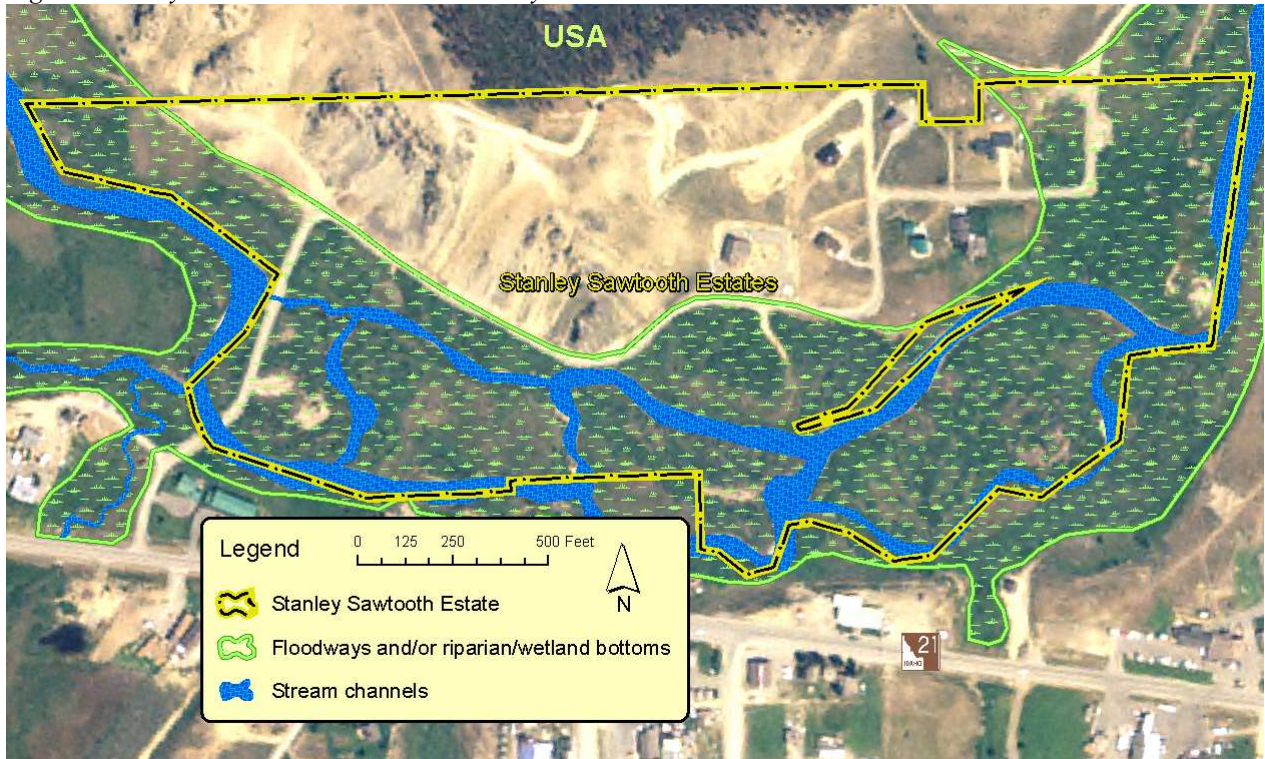
### Affected Habitats and Fish Species

Valley Creek is the most upstream major tributary of the Salmon River. The drainage contains approximately 200 miles of perennial streams, of which roughly half may have once supported Chinook salmon and steelhead, and an even larger portion likely provided habitat for bull trout, westslope cutthroat trout, and other native fish. Sockeye salmon once utilized Valley Creek as a migratory route to and from Stanley Lake. Due to influences both within and beyond the Valley Creek drainage, Chinook, sockeye, steelhead, and bull trout are all now protected under the Endangered Species Act, and Valley Creek has been designated as critical habitat for Chinook, sockeye, and steelhead. Native westslope cutthroat trout are also uncommon within the drainage. For an extended description of fish life histories and status, as well as baseline conditions within the IGST Local Population, and the Valley Creek drainage, see sections III and V within the *Biological Assessment of Effects of Ongoing and Proposed Federal Actions on the Valley Creek Subpopulation of listed Snake River Sockeye, Snake River Spring/Summer Chinook Salmon, Snake River Steelhead, and Columbia River Bull Trout, and sensitive Westslope Cutthroat Trout* (USDA-FS 2006).

The Stanley Sawtooth Estates includes a large segment of the final reach of Valley Creek prior to its confluence with the Salmon River. Within this segment Valley Creek is joined by Goat, Iron, and Meadow Creeks. In addition, within this low gradient, unconfined, valley bottom, the segment also includes many side channels, former channels, developing channels, backwaters, and isolated ponds. Chinook salmon routinely spawn in the abundant spawning habitat found throughout the reach. Steelhead are also thought to use the reach for spawning. The proximity and availability of suitable rearing conditions in off-channel and tributary habitats within the segment likely make this particularly productive habitat. Migratory bull trout and westslope cutthroat trout are also known to use the segment



Figure 2: Valley Creek habitats within the Stanley Sawtooth Estates



for transitory movements. The recovery of sockeye salmon will have them again also migrating through this segment for access to Stanley Lake.

There is approximately 1.7 miles of streams, channels, and waterways within or adjacent to the Stanley Sawtooth Estates. In addition, the development abuts the confluence of the three principle tributaries of lower Valley Creek: Goat, Iron, and Meadow Creeks. The valley bottom/floodway is wide and extensive, averaging roughly 650 feet in width, with former, current, or developing channels throughout (see Figure 3, and stanleysawtoothestates.com). Almost all of this bottom area can be described as riparian habitat, and most would qualify as jurisdictional wetlands under Section 404 of the Clean Water Act. Thirty-eight of the 47 lots include acreage within this valley floor area. Twenty-five are totally contained within this bottom area, and 7 others include the majority of their acreage within the bottom, including the probable building envelopes (see Figures 1 and 2). Interestingly, several lot boundaries have been established on channel centerlines or banks.

This valley bottom segment is a classic “response” reach. Unlike steep headwater segments upstream, which are bounded on either side by bedrock, response channels are low gradient, where current energy is dissipated through meanders rather than turbulence. Channel width to depth ratios are relatively low, substrates are gravels and cobbles, and bank resistance is provided by vegetation. As such, the channels here are naturally “dynamically stable” – that is, they migrate incrementally, and often imperceptibly across the valley floor over time. These channels also receive and integrate all upstream conditions within the watershed, providing spawning gravels throughout the reach, and depositing a net increase of fine sediments on the adjacent floodplains. These dynamic channel and floodplain changes have occurred through time within this segment, and will continue to occur naturally if allowed.

Figure 3: 2001 panoramic overview of the Valley Creek bottom with Stanley Sawtooth Estates

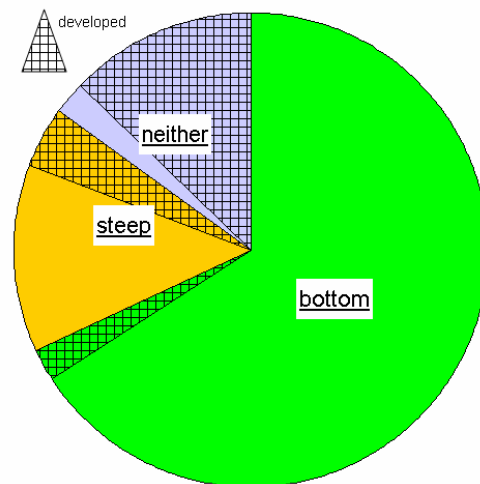


Of those lots that are not primarily located on the bottom area (15), eight are located on very steep topography with slopes typically 30 to, in excess of, 70 percent (see the high rocky point in Figure 3). Though the building envelopes may favor the most buildable locations, previous construction on some of these lots has demonstrated the necessity of large excavations in these hillsides for structure placement and road and driveway access. The geology of this high ground is highly erosive decomposed granite, which typically produces unproductive and mobile sediments (Rahm and Larson 1972, Megahan and Ketcheson 1996). Finally, of the seven remaining lots (i.e. not in bottom or on excessively steep slopes) six have already been developed (Figure 4).

### Development Risks

As described above, the few lots that are neither on the bottom nor on steep slopes (i.e. present relatively lower risk to the fisheries value), have essentially already been developed (Figure 4). Consequently, any further development will present much greater risks to the fisheries value. It has begun. In 2001 a large, exposed, excavation occurred in the hillside for a building platform in Sawtooth Terra Tract, Lot 6A. Then, in 2006/2007, development and construction progressed within Sawtooth Terra Tract Lot 14B, located completely within the Valley Creek bottom area. This analysis assumes that development elsewhere, within comparable lots, would occur similarly. Currently, an application for development involving jurisdictional wetlands within eleven of these lots is being evaluated by the Army Corps of Engineers (Tiedemann 2007).

Figure 4: Lots and development status within general land types



Apparently, as initially proposed, the development within Lot 14B must have met existing county, state, and federal regulations. As construction commenced in 2006, vegetation was cleared and fill was added along approximately 350 feet of access road aligned perpendicular to the floodplain. Additional clearing, fill, and topographic changes occurred for the anticipated structures, all extending to within 10 to 15 feet of Valley Creek horizontally, and just inches vertically from the water surface (see Figure 5, August 30, 2006). By the spring of 2007, the main structure was in place. The snowmelt runoff in 2007 was only of typical annual magnitude (USGS 2007), with water just filling the channel, but still flows were within feet from the structure (see Figure 5, May 17, 2007). In early summer 2007, a narrow horse corral was constructed along the upstream edge of the lot and horses pastured. By mid summer all vegetation within the corral had been browsed and trampled out. In August, portable concrete retaining walls (aka “Jersey Barriers”) were installed paralleling Valley Creek, and additional fill was imported behind them. Construction on a second structure then commenced, and was in place by fall 2007 (see Figure 5, October 31, 2007). Ice formation within the channel during January of 2008 had water again just feet from the structure.

Figure 5: Stanley Sawtooth Estates, Lot 14B development

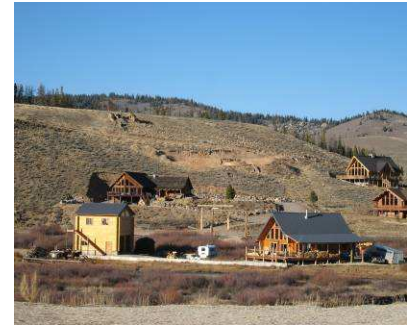
August 30, 2006



May 16, 2007



October 31, 2007



Some might describe the construction that has transpired at Lot 14B as imprudent, perhaps foolhardy. The development has put itself and Valley Creek at considerable risk. The vegetation that naturally maintains the dynamic stability of this response reach has been removed in the critical bankside area. A portable retaining wall has been erected parallel to the adjacent channel, which will serve to focus flood energies along the very line where this vegetation ends. A lengthy road fill runs perpendicular to the floodplain which will serve to dam and elevate flood depths. Finally, a corral for horses, constructed at the leading edge of all these features, has served to remove all vegetation within, including grass and forbs, which will serve to accelerate, rather than dissipate, flood energies. However, consider that even without these additional imprudent actions, the location alone of the structure within this adjusting and adjustable valley bottom will ultimately result in an intersection of house and flood if allowed to progress naturally. Nevertheless, short of an epic calamity, history has demonstrated that future threats to such man-made structures will most likely be remedied through man-made modifications to Valley Creek (e.g. rip-rap, flow and channel controls). This assessment makes this assumption while realizing the alternative (i.e. not protecting established structures during times of threat) could be equally detrimental to the same habitats.

Thirty-one additional, and as yet undeveloped, lots remain within the Valley Creek bottom/floodplain area. Twelve are currently on the market. With each lot developed, the effects and risks to natural functions will grow individually and cumulatively. Habitat conditions within each lot will be altered, and eventual treatments intended to protect any individual lot will simply change the flow dynamic and add threats elsewhere. Ultimately, for long-term protection of the developments, the channel(s) within this adjustable valley bottom will be made fixed and rigid. The abundant, diverse, and complex habitats currently present will be reduced, altered, and simplified. Backwater and side-channel habitats will be filled, and human presence, influence, manipulation, and disturbance will pervade the area. Important habitat for ESA listed, as well as other native fishes, would be altered and diminished.

### **Relation to the Sawtooth National Forest Land and Resource Management Plan**

The Stanley Sawtooth Estates is located within Management Area 2 – Upper Salmon River Valley of the Sawtooth National Forest Land and Resource Management Plan (USDA-FS 2003). Management Prescription Class 3.2 – active restoration and maintenance of aquatic, terrestrial and hydrologic resources is the emphasis on the adjacent public lands. The adjacent public lands are also located within an active restoration prescription of the Watershed and Aquatic Recovery Strategy, with a high priority, and are within a priority watershed within the related Aquatic Conservation Strategy. Specific FLRMP direction that is applicable or relevant to the development and this analysis include:

| <b>Number</b> | <b>Management Direction Description</b>  |
|---------------|--|
| 0201          | Manage both federal and private lands to ensure the preservation and protection of the natural, scenic, historic, pastoral, and fish and wildlife values and to provide for the enhancement of the associated recreational values in accordance with Public Law 92-400.  |
| 0202          | Management, utilization, and disposal of natural resources on federally owned lands (such as timber, grazing, and mineral resources) shall be allowed only insofar as their utilization does not substantially impair achievement of the purposes for which the recreation area was established. "Substantial impairment" is defined as that level of disturbance of the values of the SNRA that is incompatible with the standards and guidelines of the Forest Plan. The proposed activities shall be evaluated as to: 1) the period of impact; 2) the area affected; and 3) the importance of the impact on the SNRA values. Use process guidance in Appendix I to assist in determining compliance with this standard. |
| 0246          | Discourage additional development in streamside areas on private lands, to avoid degrading fish habitat particularly within the communities of Stanley and Lower Stanley. Nip and Tuck-Sunny and Iron-Goat subwatersheds are a priority.   |
| 0250          | Provide riparian woody and hydric vegetation composition, age class structure, and pattern, that restores or maintains stream bank stability, low width/depth channel ratios, and provides for a properly functioning condition along the main stem Salmon River, Valley Creek and significant tributaries.  |
| 02110         | Construction of new facilities adjacent to lakeshores and streams should be avoided to avoid degradation of scenic, soil-hydrologic, riparian, and aquatic resources.  |
| 02111         | The development, improvement, and use of recreation residences, resorts or other private developments within the SNRA should not detract from the values for which the SNRA was established.   |
| 02121         | Manage federal and private lands to retain a pastoral or natural appearing landscape consistent with the scenic values for which the SNRA was established.   |
| 02142         | Reduce grazing impacts to soil, water, riparian and aquatic resources through more intensive grazing management practices. Emphasize restoration within the Valley Creek system, Frenchman Creek, Smiley Creek, Salmon River headwaters, Pole Creek headwaters, Huckleberry Creek, and Champion Creek.   |
| 02153         | Control the use, subdivision, and development of private lands to ensure the preservation and protection of SNRA values.   |
| 02156         | Negotiate and acquire, by priority area, conservation easements on property that could be used in a way that does not conform to the regulatory standards described in the Private Land Regulations, 36 CFR part 292, subpart C. Priority areas in this management area are: 1) Sawtooth Valley and private land around Stanley and Lower Stanley, and 2) Valley Creek properties.   |
| 02157         | Use landowner cooperation, easements, withdrawals, rights of way, purchases, or administrative action to restore or maintain natural and productive aquatic habitat conditions.  |
| SNGO01        | Administer and protect the SNRA in such a manner as will best provide: a) Protection and conservation of the salmon and other fisheries; b) Conservation and development of scenic, natural, historic, pastoral, wildlife, and other values that contribute to and are available for public enjoyment; this includes the preservation of sites associated with and typifying the economic and social history of the American West.   |
| SNOB02        | Protect habitat for salmon and other fisheries. Focus on protecting and restoring populations and habitat of sockeye salmon in the morainal lakes of the Sawtooth Valley, kokanee salmon habitat in inlet streams, and populations and habitat of chinook salmon, steelhead, and bull trout and other salmonids native to the SNRA.  |
| SNOB03        | Achieve compatible use, subdivision and development of privately owned property within the recreation area. In addition, promote the preservation and protection of natural scenic, historic, pastoral, and fish and wildlife values and the enhancement of recreational values associated therewith.  |
| SWST01        | Management actions shall be designed in a manner that maintains or restores water quality to fully support beneficial uses and native and desired non-native fish species and their habitat.   |
| SWST04        | Management actions will neither degrade nor retard attainment of properly functioning soil, water, riparian and aquatic desired conditions.  |

Other applicable FLRMP direction includes: SWGO01, SWGO02, SWGO03, SWGO04, SWGO10, SWGO11, LSOB01, LSGU01, 02158, and 02159.

### Matrix of Potential Effects

Agency/Unit: USFS/Sawtooth NRA      Anadromous Population: Snake River      Subpopulation: Valley Creek      MPC: 3.2  
 Type of Action(s): private development      Bull Trout Core Area: Upper Salmon River      Local Population: IGST      ACS:   
 FLRMP 5<sup>th</sup> HUC(s): 17060201 14      Spatial Scale of Matrix: Local      Restorat., Priority: Active, High  
 Activity: **Stanley Sawtooth Estates – Substantial Impairment Assessment**

Are TES species (or designated critical habitat) currently present at any time of the year within the local population?

| Present          | Snake River sockeye                 | Snake River chinook                 | Snake River steelhead               | Columbia River bull trout           | westslope cutthroat trout           |
|------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| Yes (or unknown) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| No               | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/>            |

| Pathways Indicators <sup>a, d</sup>  | Effects of the Action(s)                       |   |
|--------------------------------------|--|---|
|                                      | Effects <sup>b, c</sup> and Trend <sup>e</sup> | Discussion of Effects   |
| Subpop Character                     |  |   |
| Subpopulation Size                   | D, →, ↓*, ↓                                    | By reducing the quantity and quality of spawning and rearing habitats (as well as degrading other watershed conditions), continued development would be expected to undermine the reproduction of some native fish, particularly summer Chinook salmon, and thus diminish the numbers within the subpopulation in the long-term. This is especially meaningful for Chinook, which are currently identified as threatened with extinction under the Endangered Species Act.  |
| Growth and Survival                  | D, ↓*, ↓, ↓                                    | Continued development would be expected to diminish several aspects that influence the growth and survival of native fishes, particularly for those that use the segment for reproduction such as Chinook and steelhead. Lot development and protection, including in-channel alterations, would serve to alter typical velocities and sediment dynamics, and consequently the distribution and suitability of spawning substrates. In addition, with the 32 lots situated coincident with this habitat, human disturbance would also be expected to undermine spawning site selection and diminish spawning success during the actual spawning period, particularly for Chinook salmon in late summer. Ten percent of the overall Chinook spawning documented within transects monitored by IDFG in recent years, within the Valley Creek drainage, has occurred within this lower segment. Spawning within this segment also specifically represents 20 percent of the summer Chinook spawning. Human activity within the segment would be expected to physically damage some redds from time to time, resulting in the mortality of alevins incubating within. Finally, continued development would be expected to reduce the availability of off-channel rearing habitats and diminish the quality of that which remains. |
| Life History Diversity and Isolation | N  | No aspect of the expected development would serve to isolate populations.   |
| Persistence and Genetic Integrity    | D, →, ↓*, ↓                                    | With diminished reproduction, growth, and survival of some species, their long-term genetic integrity would be further undermined adding threats to their continued persistence.  |
| Water Quality                        |  |   |
| Temperature                          | M, →, ↓*, ↓*                                   | The Stanley Sawtooth Estates resides within natural, shrub dominated, non-forested, habitats. Removal of streamside vegetation, as well as road and structure establishment, associated with the development of the lots located within the valley bottom, would be expected to have a slight but increasing negative influence   |

|                                       |             |   |
|---------------------------------------|-------------|---|
|                                       |             | on water temperatures as development proceeds.  |
| Sediment                              | D, ↓*, ↓, ↓ | Sediment dynamics would be expected to change considerably in the short and long term as development proceeds. Chronic new sediment sources would be introduced with road and structure excavations and fills from both valley bottom and hillside developments. Substantial cumulative sediment effects would result from instream alterations intended to protect the structures, but ultimately destabilizing the reach. Such alterations would also likely serve to confine and accelerate flows within the reach, thus moving watershed sediments through rather than spilling and depositing a portion on the floodplain. Carefully designed and maintained drainage systems on the steep hillside lots could lessen the effects there. |
| Chemical Contaminants/Nutrients       | D, ↓*, ↓, ↓ | With the extensive development in such close proximity to waterways, the risk of pollutants would be substantially increased as development proceeds. With residential development of the lots, the risk of chemical pollutants such as fertilizers, deicers, and household cleaning products would be expected to increase. Though attachments to the local sewer system may be possible, with the potential for livestock use within the lots, nutrient pollutants could also still increase.   |
| <b>Habitat Access</b>                 |             |   |
| Physical Barriers                     | D, →, ↓, ↓  | With development of the 26 Valley Creek Tracts, three additional crossings will be required of major stream channels. If thoughtfully designed and constructed, these crossings may continue to provide the same accessibility to native fish for a time. However, if poor crossings are constructed, or channel alterations undermine good crossings, accessibility could diminish. In addition, it would be expected that with full development, most of the existing backwater and off-channel habitat would no longer be available.   |
| <b>Habitat Elements</b>               |             |   |
| Substrate Embeddedness                | D, ↓*, ↓, ↓ | This secondary effect from sediment would be expected to respond similarly (see sediment).  |
| Large Woody Debris                    | N           | The Stanley Sawtooth Estates resides within natural, shrub dominated, non-forested, habitats. No influence to large wood recruitment or retention would be expected.  |
| Pool Frequency                        | D, ↓*, ↓, ↓ | With an expected increase in water velocities and fine sediments through the reach, the quantity of pools within the segment could diminish.  |
| Pool Quality                          | D, ↓*, ↓, ↓ | As with the frequency of pools, their quality would also be diminished with the expected increase in water velocities and fine sediments through the reach.   |
| Off-Channel Habitat                   | D, →, ↓, ↓  | It would be expected that with full development, most of the existing backwater and off-channel habitat would no longer be available. Similar off-channel habitats extend upstream from the segment that would be influenced by the Stanley Sawtooth Estates, but not below. Habitats within the Salmon River, just downstream, do not contain the diversity and complexity of habitats found within Valley Creek. Those immediately upstream are also diminished by grazing. As a result, with the loss of these off-channel features within the segment, fish seeking to utilize such habitats, from within the segment or downstream, would be forced to continue further upstream to possibly less productive, but available habitats.    |
| Refugia                               | D, →, ↓, ↓  | It is likely that these productive habitats currently experience a net increase in rearing salmonids as juveniles move into the area from less suitable habitats elsewhere, such as the main Salmon River just downstream. With the simplification of instream habitats expected with continued development, refugia for these local, as well as immigrant salmonids, from temporary conditions such as temperature, ice, velocity, or predators would be diminished.   |
| <b>Channel Condition and Dynamics</b> |             |   |
| Width/Depth Ratio                     | D, →, ↓, ↓  | Typical channel dimensions would be expected to change with full development. Total channel width within the valley bottom could actually diminish as channels are confined and hardened.   |

|   |             |   |
|---|-------------|---|
| Streambank Condition                          | D, ↓*, ↓, ↓ | Substantial individual and cumulative alterations to streambanks would result from full development. Initially roadways and structure excavations may have only limited influence. However through time, as instream alterations are implemented intending to protect structures, streambank conditions would diminish. Such alterations would also likely serve to confine and accelerate flows within the reach, thus exacerbating the situation and ultimately destabilizing the reach. Elsewhere in the lower reaches of Valley Creek, streambank conditions have improved considerably in recent decades. However, those immediately upstream of the segment within the Stanley Sawtooth Estates remain diminished due to grazing influences, which would exacerbate the potential effect.   |
| Floodplain Connectivity                       | D, ↓, ↓, ↓  | As evident at Lot 14B, flows on the floodplain will not be tolerated once structures are established. Thus with full development of all 32 valley bottom lots, floodplain connections and functionality would be essentially lost. As such, characteristics influenced by functioning floodplains, such as typical reach velocities, bank storage, vegetation recruitment and establishment, would also be expected to be lost or substantially diminished.   |
| <b>Flow/Hydrology</b>                         |             |   |
| Change in Peak/Base Flows                     | N           | The development should have no influence on water yield or the timing of peak and base flows, although full development would be expected to increase the typical velocities within the reach.  |
| Drainage Network Increase                     | D, →, ↓, ↓  | It would be expected that with full development, the existing channel network within the reach would be simplified and reduced.   |
| <b>Watershed Conditions</b>                   |             |   |
| Road Density and Location                     | D, ↓, ↓, ↓  | With full development, an additional ½ mile of primary access road, including 3 crossings of principle Valley Creek channels, would be constructed running nearly the length of the development within the valley bottom. From this stem, most of the 32 lots, once developed, would also branch with individual driveways of 100 feet or more, or roughly another ½ mile of roadway within the sensitive bottom location. Driveways would also branch to lots along the existing cut that ascends the steep slope.   |
| Disturbance History                           | D, ↓*, ↓, ↓ | The development, although localized, would constitute a major and persistent disturbance within the population.   |
| Riparian Conservation Areas                   | D, ↓, ↓, ↓  | As evident at 14B and others, riparian habitat functions, extent, and integrity would give way to the needs of development, including roadways, structures, and pasture.  |
| Disturbance Regime                            | D, ↓*, ↓, ↓ | The principle natural disturbance regime within the Stanley Sawtooth Estates is flood. With full development, the natural and beneficial function of periodic floods within the reach would be substantially altered.   |
| Integration of Species and Habitat Conditions | D, ↓, ↓, ↓  | Full development would be expected to diminish several aspects that influence the reproduction, growth, survival, and persistence of native fishes, particularly for those that use the segment for reproduction such as Chinook and steelhead. The development would degrade properly functioning soil, water, riparian, and aquatic desired conditions within the segment, and retard attainment elsewhere within the IGST (lower Valley Creek) local population. Water quality, as well as in-channel and riparian habitat conditions, would also be degraded with continued development, many substantially altered. The newly established development at Lot 14B represents the future of the 32 lots located along these habitats. Lot 14B independently already presents notable risks to species and habitat conditions. When summed for all lots, and exacerbated as a result of cumulative influences, the effects to native fish and habitats with continued development would be significant. |

- a Matrix checklist adapted from USFWS 1998. Endorsed by Sawtooth Level I, March 18, 1999.
- b This displays the potential effects of the action on habitats or individuals, and not on the status of the entire local population/watershed.  
I = Improve, M = Maintain, D = Degrade, N = No Influence
- c Effects that "Maintain" or "Improve" indicators are compliant with Pacfish and Infish objectives (see USFWS 1998 for crosswalk).
- d Evaluated against local criteria where appropriate and available (see IV.C)
- e Trends of positive (↑), negative (↓) or neutral (→) are listed as they reflect "temporary" (less than 3 years), "short term" (3 to 15 years), and "long term" (greater than 15 years) periods, respectively. A (\*) associated with any trend call (e.g. ↓\*) indicates that a negligible effect is possible to the WCI, but not sufficient to be measurable.

## Conclusion

The Stanley Sawtooth Estates includes 47 platted lots, most aligned within and along important/critical habitat of native fish (Figure 1). The few lots that present relatively low risks to the fishery value have essentially already been developed (Figure 4). Therefore, continued development, as evident at Sawtooth Terra Tracts lots 6A and 14B, pose much greater risks to the principle PL 92-400 fishery value. Nearly every pathway for potential effects to fish or fish habitat within the segment would be expected to be degraded to some degree as a result of the continued and/or full development. If a distinction can be made between the magnitude of potential effects, it would be between the hillside and valley bottom lots. While carefully designed and maintained drainage systems on the steep hillside lots could lessen the effects there, no level of mitigation is anticipated which could meaningfully lessen the effects anticipated with such extensive development within the sensitive valley bottom. Likewise, since each lot presents both individual and cumulative risks to the fishery value, the valley bottom lots have been considered as a development unit. It is apparent that the cumulative effects described here would initiate very early in the development process and, therefore, each lot shares in the effects outcome.

The Stanley Sawtooth Estates development would also not be consistent with the management prescription on the adjacent public lands, and directly undermine the restoration emphasis of the management area. The current FLRMP anticipated this type of threat to the aquatic resources of Valley Creek, and provided clear direction. This threat was also recently recognized within a community public forum know as “Sawtooth Vision 20/20”, and was listed as one of fifteen “immediate high priority actions” to address. Finally, the development does not “provide the protection and conservation of salmon and other fisheries” as directed in PL 92-400. As such, I conclude that any additional development within the **Stanley Sawtooth Estates, including the ongoing development of Lot 14B, would substantially impair the key fishery value identified in PL 92-400.** In reaching this conclusion I have followed the process outlined in the Sawtooth FLRMP, Vol. 2, Appendix I, for a substantial impairment analysis, including documentation within the matrix of potential effects. Finally, this analysis has been peer reviewed, including agreement with the conclusion.

Mark Moulton



Water and Fisheries Program Leader  
Sawtooth National Recreation Area



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<http://waterdata.usgs.gov/id/nwis/dv>

## APPENDIX G. Valley Creek Data Request from the Shoshone-Bannock Tribes

### Juvenile Emigration

The Valley Creek screw trap is operated to collect migrating juvenile Chinook salmon to estimate abundance, survival, and timing to Lower Granite Dam as well as maintain records concerning size and characteristics of migration. The trap continuously operates from March/April to ice over in mid-late November with irregular periods of stoppage due to both seen and unforeseen circumstances (e.g., IDFG smolt releases, high/low flows, debris, and ice). The trap is set in the thalweg to maximize yield of out migrating fish and remain in that position assuming it is safe for the trap and program personnel to traverse the distance from the bank edge. The trap is checked daily and in the earliest hours possible to avoid increasing air temperatures in order to minimize stress on target/non-target fish.

Trap efficiencies, migration timing, size at migration, abundance, and survival are estimated using data collected daily throughout the trapping season in conjunction with the stratification of life stages and changes in efficiency. Entering three numbers; Chinook captured daily, Chinook tagged or stained with BB, and Chinook recaptured, into the Gauss Run-Time Module (Aptech 2002) staff can estimate specific migration, population (abundance), and trap efficiency. Emigrant estimates for 2015-2016 are listed below in Table 1 with associated comments related to trapping operations.

**Table 1. Juvenile outmigration estimates (by anadromous species) from Valley Creek in 2015-2016.**

| Species          | 2015              | 2016             | Comments   |
|------------------|-------------------|------------------|--|
| Chinook          | 39,237 (SE 6,904) | 8,659 (SE 1,874) | Data limited due to site location and permitting with USFS |
| <i>O. mykiss</i> | 115               | 66               | Value based on captures; not expanded for total estimate   |
| <i>O. nerka</i>  | 20                | 0                | Value based on captures; not expanded for total estimate   |

### Spawning Ground Surveys

Redd counts and carcass surveys focusing on Chinook salmon are conducted annually in Valley Creek to estimate adult spawner escapement (Table 2). The Tribes conduct a minimum of 3 passes using the same personnel in the same transect each pass in each stream to increase number of redds encountered either during or post construction and to re-evaluate confidence in each redd marked. As staff conduct multiple ground counts, the final redd count is the sum of all new redds encountered during each pass.

**Table 2. Total Chinook redds enumerated and estimated adult escapement in Valley Creek 2014-2016.**

| Year | Total Redds | Adult Escapement |
|------|-------------|------------------|
| 2014 | 124         | 315              |
| 2015 | 85          | 216              |
| 2016 | 90          | 229              |

Total redds in the above table are values throughout the entire drainage. A simple expansion factor of 2.54 fish/redd results in an estimated total return of adults (adult escapement to spawning grounds). The figures (1-3) below for 2014 – 2016 provide further insight into redd locations in lower Valley Creek within the preserve. Redd counts are not completed for adult steelhead as visibly identifying those redds is nearly impossible due to high water and water clarity.

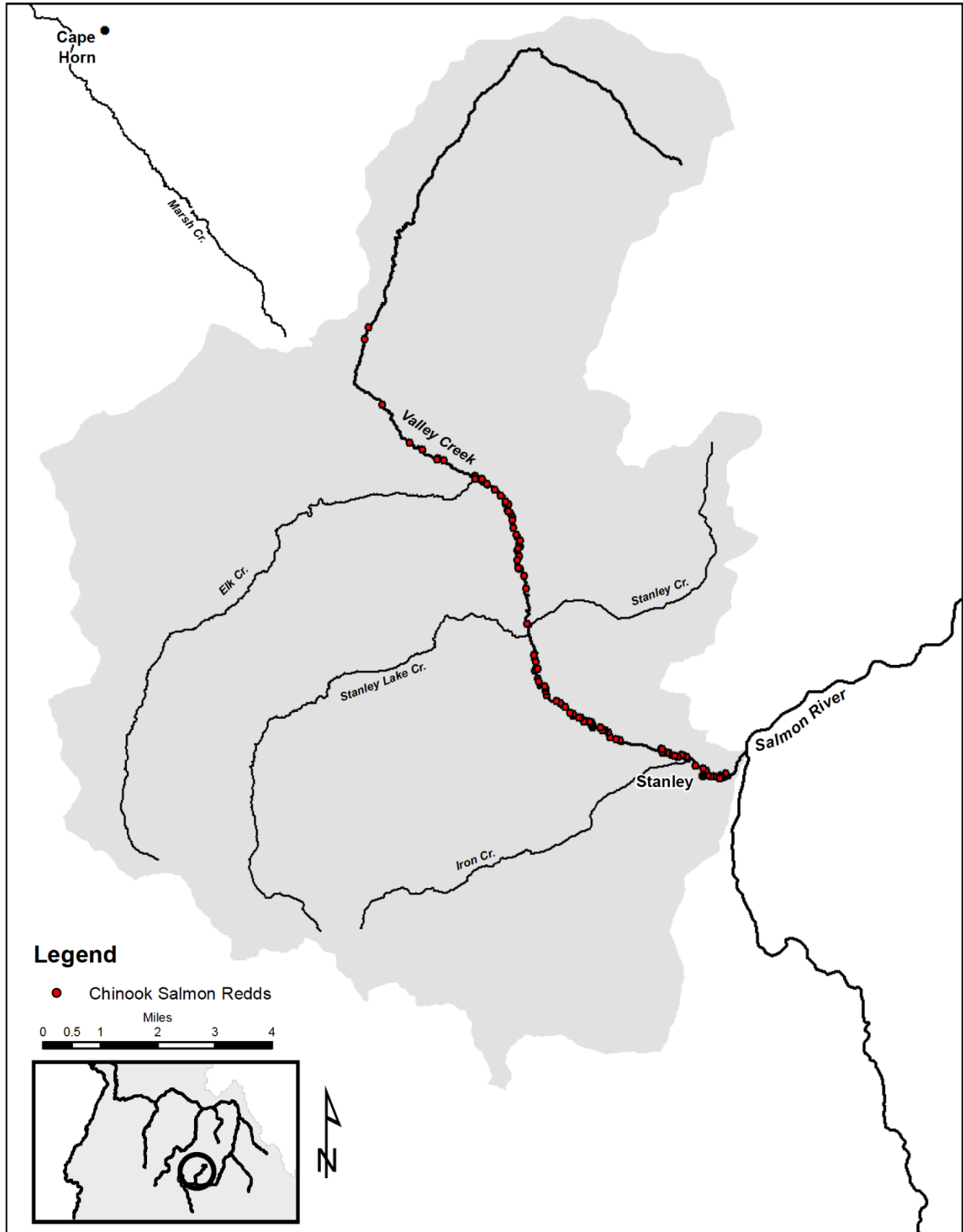


Figure 1. Chinook Salmon redd locations in Valley Creek, 2014.

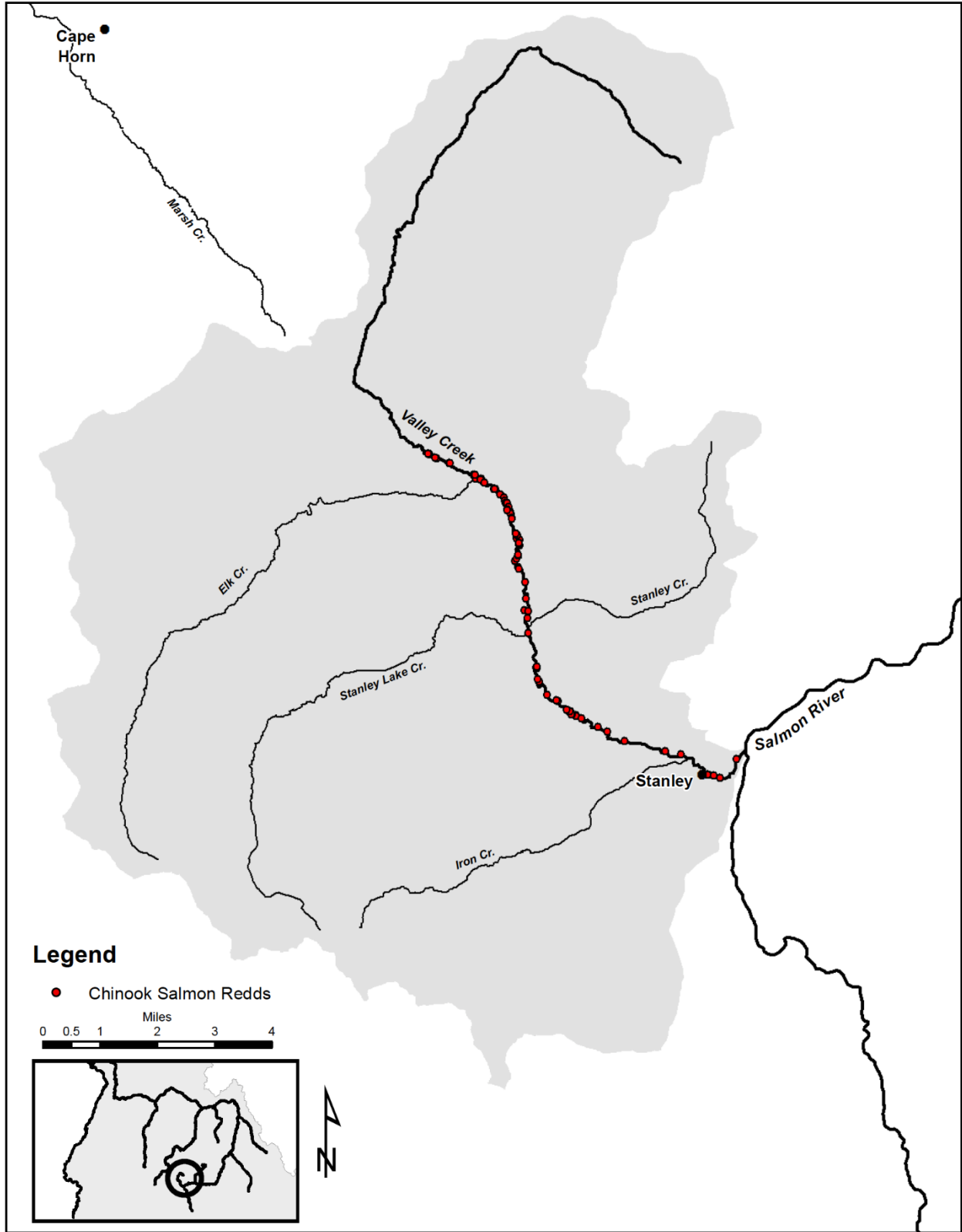


Figure 2. Chinook Salmon redd locations in Valley Creek, 2015.

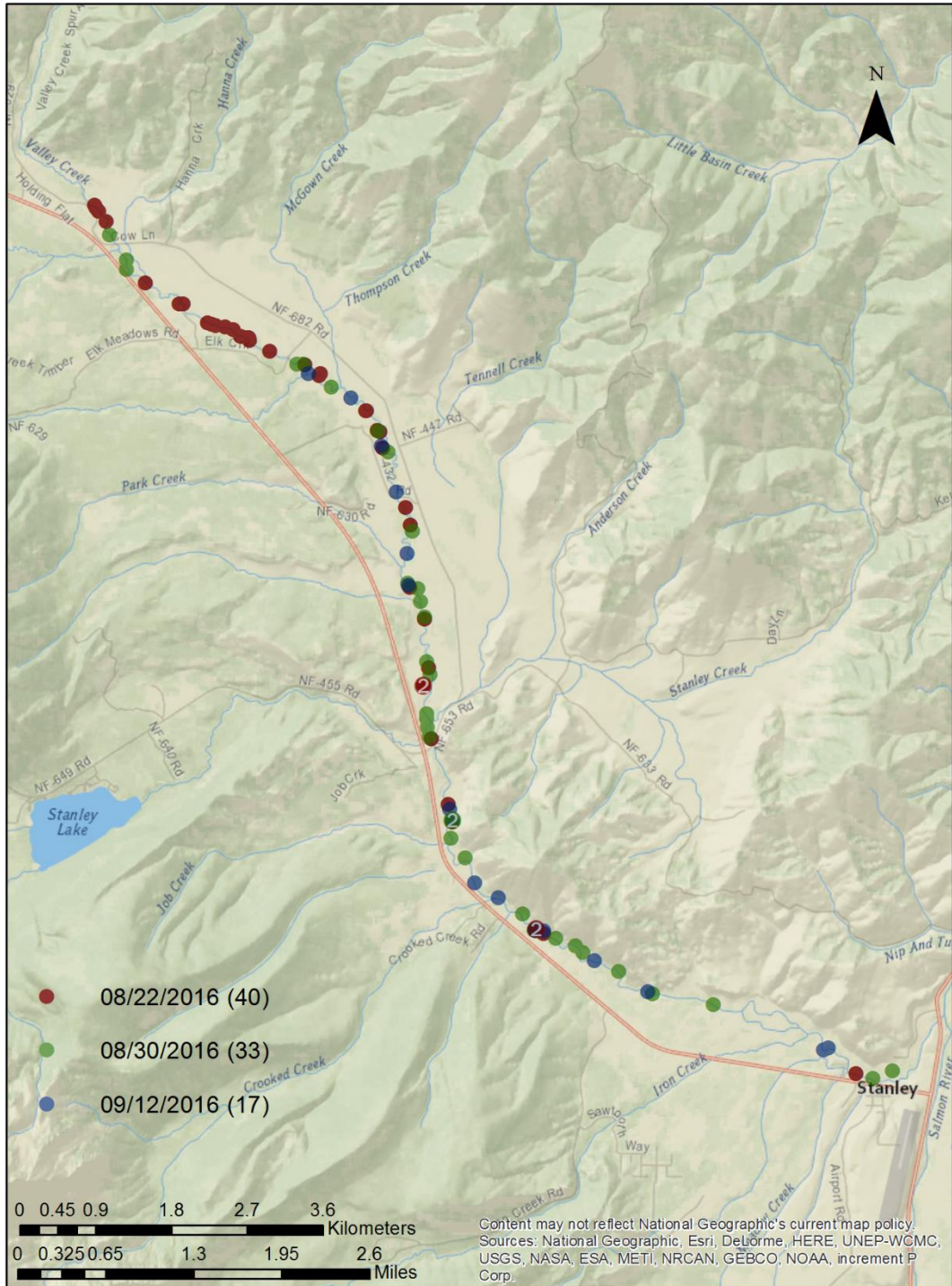


Figure 3. Chinook Salmon redd locations in Valley Creek, 2016.