

MINUTES

Missoula Conservation District
February 13, 2017

Missoula Conservation District
February 13, 2017 Meeting Minutes
3550 Mullan Road, Suite 106
Missoula, MT 59808

Missoula Conservation District Attendees:

Tim Hall, Supervisor & Chair
Libby Maclay, Supervisor & Vice Chair
Travis Greenwalt, Supervisor & Treasurer
Paul Parson, Supervisor
Art Pencek, Supervisor
Sidney Wills, Supervisor
Bart Morris, Associate Supervisor
Jen McBride, Staff
Monica Perez-Watkins, Staff
Brendan Hallmark, Big Sky Watershed Corps Member

Additional Attendees:

Jason Marks, Chief Deputy County Attorney
John Bowe, NRCS
Chris Rye, BLM Geologist (MS-02-16)
Andy Mefford, PE, Grant Creek Water Users
Association Operator (MS-03-16)

Absent:

Bob Schroeder, Supervisor
Ladd Knotek, MT FWP

Call meeting to order – 7:02 pm by Tim Hall, Chair.

Minutes – Art Pencek moved to accept the January 9, 2017 minutes as submitted. Travis Greenwalt seconded the motion, motion passed – unanimous.

Treasurer's Report – Travis Greenwalt reported \$15,927.95 in the District checking account.

Public Comment – No Public Comment.

Natural Resources Conservation Service (NRCS) Report - District Conservationist John Bowe provided the Board with the NRCS report. The report included information on Environmental Quality Incentive Program recent contract work and applications, Conservation Stewardship Program contracts and applications, Wetland Reserve Program easements and applications, and a Farm and Ranchlands Protection Program easement. Bowe also informed the Board of Soil Conservationist Travis Lemke's promotion to District Conservationist for the Plains Field Office.

New 310 Permit Applications

MS-01-17 – Don Felton – Clark Fork River – Berm Removal (RE: CM-11-16 - Clark Fork River – Impoundment on Meander)

(Geocode: 04220134101040000)

Jen McBride reviewed the location of the project to remove the berm along the Clark Fork River and the related complaint (CM-11-16). McBride said she called the property owner, Don Felton, who stated he constructed the berm on top of an existing gravel deposit, but was not aware the 310 law applied to that project. Felton met McBride in the office to further discuss the 310 law and his work on the berm. Felton mentioned to McBride that Doug Martin of the Montana Natural Resources Damage Program (NRDP) was familiar with the sediment deposit on this old meander of the Clark Fork. McBride called Martin after talking to Felton. Martin explained that the State went upstream to the Felton's property in the late 2000s because the channel shifted following the removal of the Milltown Dam in 2008. When the State began working at the site, they were approximately 4,000-feet upstream than originally planned. They completed the work in 2009, but in 2011 the side channel avulsed and the river deposited approximately 30,000 cubic yards of material into the eastern braid. While in the office, Felton explained to McBride that he used the deposited gravel materials to build up the berm. McBride mentioned that property

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boundary layers on aerial images indicate that part of the berm is located on the property of the Crystal Creek Ranch.

On January 26, 2017, McBride and Big Sky Watershed Corps Member Brendan Hallmark met Felton on his property to see the berm and take measurements and photos, which the Board reviewed on PowerPoint. McBride told the Board that Felton's application was to lower the entire berm back down to the level of natural deposit. McBride stated she believed the application was reasonable, and recommend the Board approve it with modifications, including requiring the removal of hay bales that Felton placed. She noted that Crystal Creek Ranch must provide permission and sign the application, since part of the work will occur on the ranch's property. The Board discussed existing vegetation along the berm, machine accessibility of the site, and a timeline for completion to avoid high water. The Board also discussed fines and 310 law outreach.

Paul Parson moved to accept Application No. MS-01-17 as a project for review and to approve the project with modifications based on McBride's report. Tim Hall seconded the motion, motion passed – unanimous.

The project to remove the berm on the Clark Fork River is approved with modifications incorporating the following:

- Remove all hay bales and non-native material within 50-feet of the ordinary high water mark of the Clark Fork River.
- Remove the berm by pushing the gravel away from the active channel into areas where riparian vegetation is not established.
- Ensure the entire length and width of the manually constructed gravel berm is reduced to the elevation of the natural gravel deposit (reduced in height by approximately 1.5 feet).
- Do not disturb existing native vegetation or down woody debris.
- Since aerial images depicting property boundaries indicate the berm is located on the Crystal Creek Ranch property, application approval is contingent upon the signature of an authorized Crystal Creek Ranch landowner representative.
- Complete the project by March 13, 2017.
- Otherwise proceed with the project as proposed in Application No. MS-01-17.

MS-02-17 – Kennecott Exploration Company c/o Clinton Roberts – Union Creek – Temporary Crossing (RE: MS-35-16 - Permit Denied October 17, 2016)

(Geocode: 04209711101030000)

McBride reviewed the project to install a temporary crossing as the Board reviewed images of the site in the Potomac Valley. She said Kennecott Exploration Company (Kennecott) submitted an identical previous application (MS-35-16), which the Board denied on October 17, 2016. She read the denial letter, which cited reasons of repeated applications for the same project and the recommendation for the installation of a permanent crossing to reduce stream and vegetation disturbance in the long-term.

McBride told the Board that Bureau of Land Management (BLM) Geologist Chris Rye, who was present, contacted her regarding the Board's decision on Application No. MS-35-16. Rye told McBride that the BLM disagreed with the decision. Additionally, BLM Field Manager Joe Ashor submitted a letter that was included with Kennecott's new application. McBride read Ashor's letter, which stated that the temporary installation was sufficient for the purposes of the project and that a permanent crossing would not align with BLM's required reclamation.

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Rye then spoke to the Board of the BLM's rationale, which included not wanting to increase road density in grizzly bear habitat and the fact that the BLM permitting process requires the removal of all structures and reclamation following exploration activity. Rye also mentioned the BLM's \$100,000 bond for the site's reclamation. Rye, McBride, and the Board discussed the conditions of the road that crosses a split channel segment of the stream. McBride stated that she spoke with Ladd Knotek about the project. He suggested requiring removal of the crossing and decommissioning of the road when the work is complete if the Board moves forward with an approval. Rye added that installing a permanent crossing would require an environmental impact assessment and Kennecott was not sure if they would be returning.

Sidney Wills moved to accept Application No. MS-02-17 as a project for review and to approve the project with modifications based on the standards held for Kennecott's previously approved temporary crossing permit, Permit No. MS-10-15. Paul Parson seconded the motion, motion passed – unanimous.

The project to install a temporary crossing is approved with modifications following conditions required of Permit No. MS-10-15:

- Install and remove the ford using Forestry BMPs.
- Install logs and crossing materials only at the existing crossing site.
- Do not clear the riparian vegetation.
- The need may arise to restore the old culvert above the ford crossing. If this occurs, the stream should be reconfigured into the existing channel.
- Materials installed for the crossing should be removed by October 31, 2017. If the weather permits an extended season, contact the District Office for an extension on the removal date.
- Upon completion, re-slope the banks to match pre-project conditions.
- Revegetate the disturbed areas with native riparian mix immediately following crossing removal.
- Vegetation survival rates must meet 75% after one year, and 50% after two years.
- Otherwise proceed with the project as proposed in Application No. MS-02-17.

MS-03-17 – Grant Creek Water Users Association – Grant Creek - Utility Boring (Geocode: 04232629101070000)

McBride reviewed the project to install replacement electric utilities, installing 200-feet of HDPE casing a minimum of 6-feet under Grant Creek, with bore pits approximately 50-feet from the banks of either side of the creek. McBride stated that she spoke with Knotek on this project prior to the meeting and that he suggested the Board confirm that the boring is below the maximum predicted scour depth and that the maximum depth extends laterally out to the presumed boundaries of the channel migration zone. The Board reviewed images of the project site that were included in the application. Andy Mefford, Grant Creek Water Users Association (GCWUA) Operator, was present and described the distance between well houses and previous electrical work. Mefford continued discussing the site, which is owned by Grant Creek Ranch, and said that the Ranch will ensure that revegetation occurs and mud pits will be used during drilling. The Board discussed the boring length and distance from the creek. Mefford mentioned that GCWUA has a 20-foot easement and they are also submitting a floodplain permit application to the County. Mefford also confirmed that the boring would occur well below the maximum predicted scour depth and that depth would extend throughout the presumed boundaries of the channel migration zone.

Tim Hall moved to determine Application No. MS-03-17 not a project that requires a 310 permit provided that project plans are followed as proposed in the permit application, ensuring that boring is below the maximum predicted scour depth and that this depth extends laterally out to the presumed boundaries of the channel migration

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zone. Contractors should ensure that the approaches, i.e., the locations in which the pipe is buried only a few feet, are not on an outside bend or side channel to guard against impacts of future channel migration. Paul Parson seconded the motion, motion passed – unanimous.

APO-01-17 - Missoula Irrigation District - Clark Fork River – Ditch Maintenance (RE: CM-03-16 - Missoula Irrigation District - Clark Fork River - Equipment in/near River at Head of Jacob's Island)
(Geocode: 04220022405030000)

McBride reviewed the application for an Annual Plan of Operation (APO) for diversion and ditch maintenance in the Clark Fork River, along with correspondence with Bob Cole of the Missoula Irrigation District. She then showed the Board an aerial image of the site, which highlighted diversion dam boulders that Cole included in the application. The Board was not in favor of including the entire section Cole submitted. McBride told the Board that Ladd Knotek, who was not present at the meeting, requested a site inspection, which will occur prior to the March meeting.

Complaints

CM-03-16 - Missoula Irrigation District - Clark Fork River - Equipment in/near River at Head of Jacob's Island - 310 Application Required

(Geocode: 04220022405030000)

See Application No. APO-01-17 for discussion.

CM-11-16 – Clark Fork River – Impoundment on Meander

(Geocode: 04220134201010000)

The Board stated that Complaint No. CM-11-16 will remain active until the berm is removed and the bank is restructured to its previous state through work carried out in Permit No. MS-01-17.

310 Issues – The Board reviewed images of the Oroville Dam in California as a point of discussion around engineered systems on rivers and streams. They discussed the emergency spillway, potential implications for infrastructure across the nation, and within Montana.

Reports

County Attorney – Chief Deputy County Attorney Jason Marks reported that he finalized the settlement with the District's former website developer and that he received the Go-Daddy login information and \$300.00 payment. Marks also informed the Board that County Attorney John Hart would assume Marks' duties with the District.

MT FWP – No Report.

Bitter Root RC&D – No Report.

Water Quality Advisory Council – Paul Parson reported that Peter Neilson, Division Supervisor for the Missoula Valley Water Quality District, sent a letter to the Environmental Protection Agency asking to remain informed of changes and updates to any monitoring or work occurring at the former Smurfit-Stone Container Corporation site.

MACD Dues Committee – McBride reported that the District received a \$14,599.40 invoice for annual MACD membership, which is based on information MACD received regarding the District's 2016 tax funds. However, McBride said the Mill-Levy amount reported to MACD was slightly higher than the actual funds, and MACD

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invoiced the District an excess amount of \$10.97. The Board then discussed the percentage rate MACD charges to Districts, the history of changes to the charges, and the overall value of the services that MACD provides.

Travis Greenwalt moved to pay the MACD membership dues in the revised amount of \$14,588.43. Art Pencek seconded the motion, motion passed – unanimous.

District Committees – Tim Hall reviewed the District’s various committees, including Budget (Hall, Bob Shroeder, and Art Pencek), Grants (Hall, Schroeder, and Travis Greenwalt), Personnel (Hall, Libby Maclay, and Paul Parson), and Long Range Plans (Hall and Greenwalt).

Missoula CD Employees and Big Sky Watershed Corps Member

Jen McBride – Resource Conservationist – January 10 - February 13, 2017

310 Administration:

Reviewed 310 correspondence letters following the January 9, 2017 District meeting. Corresponded with multiple landowners and personnel in charge of projects near the site of CM-11-16, impoundment on the Clark Fork River. Coordinated with Monica Perez-Watkins on preparation of reports for the February meeting. Corresponded with Ladd Knotek regarding 310 applications and requested site inspections (no site inspections occurred prior to the February meeting). Visited Don Felton’s property and walked the site of the berm, assisted Mr. Felton with his 310 application to resolve the complaint. Assisted Bob Cole as he filled out his Annual Plan of Operations application. Corresponded with County Attorney, Fish Wildlife & Parks, and other representatives regarding possible 310 projects and 310 issues or complaints. Discussed 310 inquiries as needed with callers. Spoke with Jennie Dixon of Missoula County Community and Planning Services to ensure consistency in communications around 310 permitting and riparian buffers. Corresponded with Todd Kliez, Floodplain Administrator, regarding vegetation removal at the Double Tree in within the 1946 limits of Missoula. Added a couple of images and reviewed District Meeting PowerPoint.

Conservation Planning:

Worked with Monica Perez-Watkins on Cost Share rejection, acceptance, and extension letters. Worked to build contracts for 2017 accepted project. Compiled information for practices. Answered caller inquiries on grant programs. Attended Western Montana Grazing and Agriculture conference and worked with Heidi Fleury, Lake County Administrator, to encourage partnerships on future conferences held in Missoula. Also worked with Mrs. Fleury on partnerships for training Big Sky Watershed Corps (BSWC) members and improvements to the Missoula CD equipment program. Attended BSWC mandatory training with BSWC member, Brendan Hallmark. Met with Lindsey Bona, with Missoula County Weed District regarding a matching grant on weeds in Missoula County rather than duplicating efforts with our Cost-Share program.

Office Administration:

Followed up and corresponded with contacts as needed following the last District meeting. Followed up regularly with office IT regarding set up of new computers and access to the shared drive. Met with Perez-Watkins and Hallmark regarding weekly accomplishments, priorities and plans for coming weeks. Entered labor distribution reports into QuickBooks. Checked in office project progress including, website updates, the riparian buffer brochure updates, cost-share program updates, the 5-year planning process, and equipment program plans. Reviewed and edited February Agenda, January Minutes, and other correspondence. Corresponded with the county attorney’s office on office management, contracts, letters, and 310 administration as needed. Worked with Perez-Watkins on District meeting preparations.

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Monica Perez-Watkins – Conservation & Communications Coordinator - January 10 – February 13, 2017

General Coordination:

Scanned and made copies of new 310 applications; sent to FWP. Prepared 310 forms for meeting. Sent weekly email to McBride regarding tasks completed and working on. Met weekly with McBride and Hallmark to discuss working priorities, completed tasks, correspondence, agenda items, etc.

Communications and Outreach:

Drafted and mailed 310 decision/follow-up letters and permits following January 9, 2017 meeting; emailed to FWP. Amended December 12, 2016 meeting minutes, posted on website and in office, and sent to County. Drafted and reviewed January 9, 2017 meeting minutes and February 13, 2017 meeting agenda. Posted agenda in office and on website. Shared agenda link with agency representatives and sent to County. Prepared meeting PowerPoint and packets. Informed and answered questions from callers and walk-ins regarding 310 law/application/process, Cost Share program, and Riparian Planting Mini Grant. Directed inquiries on issues outside of CD realm to appropriate agencies. Forwarded various emails of potential interest to the Board throughout the month. Reviewed County emails for relevancy. Updated current news/event information on website as needed. Drafted and reviewed Cost Share acceptance and rejection letters; merged letters and labels with contact lists. Drafted newsletter templates. Sent reminder email to County legislators regarding MACD Meet and Greet. Created handout on Missoula CD 2016 work and highlights; sent to Rosebud CD Administrator to provide to legislators in Capital. Corresponded with MACD Communications Director and Khimaira regarding DNS transfer to WordPress website. Corresponded and met with MACD Communications Director regarding new website. Created new pages, posts, etc. in new website. Reviewed publication designs with Hallmark, BSWC. Sent information regarding education posters and MACD scholarship to Missoula County Public Schools for newsletter. Corresponded with AlphaGraphics regarding proofs of drill and trailer decals/sign. Corresponded with CD Treasurer and Larry's Tractors regarding no-till drill rental procedure. Posted conference event details to community list serve. Create no-till drill flyers. Researched and contacted community centers/parks/etc. for potential sites to host summer community listening sessions, compiled information into Excel and Word documents, and created calendar of holidays, PIR days, and school breaks - sent to Chair and Treasurer. Corresponded with Flagship Program regarding District grant and sponsorship of DNRC grant; sent information to Grants Committee.

Financial Management:

Emailed claims from January 9, 2017 meeting to County. Entered claims and checks into QuickBooks Online (QBO). Updated Supervisor timesheets/mileage as needed. Sent remaining 2016 Cost Share payouts. Entered itemized purchases from petty checking account into QBO. Reconciled QBO with bank statements, D. A. Davidson change in investment value, and County Milly Levy monthly report. Prepared claims to be signed at February 13, 2017 meeting. Completed and submitted State Annual Financial Report (AFR) and Montana State Fund payroll report. Filed 1099 for 2016 Cost Share recipient.

Administrative Duties:

Maintained and updated 310 master lists. Prepared/restored conference room for meeting. Take meeting notes for minutes. Maintained and organized 310 files. Created pdf documents of meeting packets and staff Meeting notes. Prepared mail. Sorted and distributed office mail. Answered District phone and directed walk-ins as needed. Watched NACD webinar regarding urban and rural outreach. Ran errands to bank, recycling center, post office, Target, Home Depot, and Costco. Participated in meeting of Occupant Emergency Plan, subgroup of Facility Security Committee. Completed and submitted DNRC 310 Survey. Copied all pages and photos from old website prior to DNS transfer. Registered four for conference. Updated Cost Share mailer list.

Professional Development:

Attended two sessions at the Western Montana Grazing and Agriculture Conference, Feb. 10.

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Brendan Hallmark – Big Sky Watershed Corps Member - January 10 – February 13, 2017

Watershed Education and Outreach:

Began organizing and developing a blueprint to replace the Healthy Riparian Buffer Guide. This process includes creating a principal timeline, research updated scientific literature, and designing brochure templates that will create incitement of the psyche. Began correspondence with any photographers that require permission to publish their photos. Corresponded with Lake County Conservation District to help gain awareness of the Grazing & Agriculture Conference. Distributed flyers and event agendas to the university, local Ag suppliers, and environmental organizations. Created an online advertisement promoting the event. Met with Perez-Watkins regarding brochure design.

District Business Assistance:

Regularly met with McBride and Monica Perez-Watkins for staff meetings. Accompanied Jen McBride to visit Don Felton's property. McBride and I assessed the complaint that was issued on Felton's property as well as determining recommendations to the Board and assisting Felton with a 310 application. Assisted with review of Cost-Share acceptance and denial letters.

Professional Development:

Attended Big Sky Watershed Corps orientation in Bozeman with McBride. Also attended Grazing and Agriculture Conference.

Other – No additional reports.

New Business

Legislative Items – McBride reviewed recent legislative items from News from the Front, updates provided by MACD. McBride noted that to date, she knew of no significant changes made that would affect Conservation Districts. She asked the Supervisors if there was anything specific they saw in updates or anything they felt needed to be discussed. There was no discussion.

Envirothon – McBride informed the Board that Envirothon teachers contacted the District about continued support and attending the March meeting. She then asked the Board how involved they would like staff to be in Envirothon. The Board discussed their support for Envirothon and that they appreciated the teachers and school district taking the lead on the competition and logistics in 2016. The Board also discussed a previous idea of having 5-6 local teams compete in a small District competition, but recognized that the preparatory work for such an endeavor would be prohibitive at this time. The Board discussed previous Envirothon funding for several teams, which they are open to continuing, while letting the schools take the lead with minor District staff assistance.

Correspondence – No correspondence.

Old Business

Board Appointments and Assignments – Tim Hall reviewed the current assignments of Chair, Vice Chair, and Treasurer, and asked the Board of Supervisors if anyone would like a change to the current assignments. The Board will revisit assignments at the March meeting.

Western Montana Grazing and Agriculture Conference – Several Supervisors who attended the Conference spoke of their positive experience and the level of professionalism throughout the event, which was hosted by Lake County Conservation District (CD) and NRCS. McBride told the Board that Brendan Hallmark posted numerous

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signs at various locations and that she spoke with Lake County CD's Conservation Coordinator Heidi Fleury about working with Monica Perez-Watkins and Missoula CD for next year's conference.

Equipment Program – Travis Greenwalt reported that he spoke with an employee of Larry's Tractors, Trailers, and More (Larry's) regarding the necessary fabrications to the trailer stake pockets and ramp. Greenwalt said he did not have an official estimate, but Larry's said the cost for steel and work would be between \$1,500.00 and \$1,800.00. The Board agreed to obtain a second quote and Bart Morris was asked to request an estimate from All Things Metal.

Perez-Watkins passed around the AlphaGraphics proofs of the sign and decals for the trailer and no-till drill, noting minor edits to be made.

Grant Programs

Cost-Share – McBride reported that letters were mailed to applicants that the District will not fund and that Tim Hall signed the contracts of the applicants who will receive funds. She added that at least one of the applicants the District denied was in attendance at the Grazing and Agriculture Conference, perhaps due to the District's mention of the conference in his letter.

Education Mini Grant – Perez-Watkins informed the Board that The Flagship Program, a free afterschool and summer program for Missoula County Public School students, requested a \$500.00 Education Mini Grant and District sponsorship of a \$498.50 DNRC Education Mini Grant. Grants would fund Flagship's Life on the Farm and Outdoor Conservation Week summer programs for local middle school students. Perez-Watkins spoke of Flagship's previous funding in 2016 and told the Board that the 2017 grants would cover transportation and presenter fees. Tim Hall spoke of the middle school students the events will benefit.

Art Pencek moved to provide The Flagship Program a \$500.00 Education Mini Grant for Life on the Farm and Outdoor Conservation Week. Travis Greenwalt seconded the motion, motion passed – unanimous.

DNRC Education Mini Grant Sponsorship – See Education Mini Grant for discussion.

Art Pencek moved to sponsor The Flagship Program for a \$498.50 DNRC Education Mini Grant for Outdoor Conservation Week. Travis Greenwalt seconded the motion, motion passed – unanimous.

Payment of Bills – Tim Hall moved to pay the bills. Libby Maclay seconded the motion, motion passed – unanimous.

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Warrants:

Jen McBride	
Ck # 2255 – Personal Mileage	\$ 214.00
Brendan Hallmark	
Ck # 2256 – Personal Mileage	\$ 27.29
Blackfoot Communications	
Ck # 2257 – Internet	\$ 118.00
First Interstate Bank	
Ck # 2258 – Fleet Card	\$ 46.05
Verizon	
Ck # 2259 – District Cell Phone	\$ 27.63
Montana State Fund	
Ck # 2260 – Insurance	\$ 362.18
Wendy Weissman	
Ck # 2261 - Contracted Accountant	\$ 56.25
Missoula Conservation District	
Ck # 2262 – Transfer to Bank Checking Account	\$ 30,000.00
Montana Association of Conservation Districts	
Ck # 2263 – Membership Dues	\$ 14,588.43
	Total: \$ 45,439.83

Voting Record – CD Supervisor	FOR	AGAINST	ABSTAIN
Timothy Hall	9		
Libby Maclay	9		
Paul Parson	9		
Art Pencek	9		
Robert Schroeder	Absent		
Sidney Wills	9		
Travis Greenwalt	9		

Adjournment – Tim Hall moved to adjourn the meeting. Libby Maclay seconded the motion - motion passed, unanimous. The meeting adjourned at 8:57 pm.

The next meeting of the Missoula Conservation District will be held March 13, 2017 at 7 p.m. in the Missoula Conservation District conference room, 3550 Mullan Road, Suite 106, Missoula, MT 59808.