

**Missoula Conservation District  
September 11, 2023 at 7:00 p.m.  
3550 Mullan Rd, Ste 106, Missoula, MT 59808 – with virtual option**

**Missoula Conservation District Attendees:** Tim Hall (Chair), Libby Maclay (Vice-Chair), Travis Greenwalt (Treasurer)-joined at 8:20 pm, Paul Parson (Supervisor), Art Pencek (Supervisor), Robert Schroeder (Supervisor), Bart Morris\* (Associate Supervisor)

Radley Watkins (Staff), Bryan Vogt (Staff), Sonja Skovlin (Staff), Julia Drennan (BSWC)

**Additional Attendees:** John Hart, (Senior Deputy County Attorney), Travis Lemke\* (NRCS), Ladd Knotek (MT FWP), Catey Bauer (DNRC CDB), Nels Larson (Public)\*

\*Denotes virtual participation via Zoom

**Absent:** Sid Wills (Supervisor), Josh Schroeder (Associate Supervisor)

**Call Meeting to Order** – 7:00 pm by Tim Hall

**Minutes** – Libby Maclay moved to approve the August 14, 2023, Board Meeting minutes as presented. Robert Schroeder seconded the motion. The vote was unanimous in favor, and the motion carried; Travis Greenwalt had not arrived prior to the vote on this motion.

**Treasurer’s Report** – As Travis Greenwalt had not yet joined the meeting, Vogt presented the following account balances from the District’s QuickBooks Balance Sheet dated September 8, 2023, included in the Supervisors’ meeting packets. Also included was the year-to-date Profit and Loss report dated September 8, 2023.

First Security Bank – Checking	\$32,371.45
First Security Bank – Petty Checking	\$1,314.61
First Security Bank – Savings	\$58,476.29
DADCO Savings	\$192,027.41
Tax Mill Levy Account at County	\$415,429.77
<b>Total Bank Accounts</b>	<b>\$699,619.53</b>

Watkins stated he will meet with Greenwalt later this week to discuss allocating earmarked funds in QuickBooks.

**Public Comment** – None offered.

**NRCS Report** – Travis Lemke, Supervisory District Conservationist, reported that Watkins, Patrick Mangan, and he had met on August 29<sup>th</sup> to discuss planning for the next Western Montana Grazing and Ag conference, tentatively scheduled for January 25-26, 2024, at the Gerald Marks Exploration Center. He reported that they met to discuss ideas for sessions and presenters, and they will continue meeting about every two weeks to continue working out details and putting the conference together. Hall mentioned that the Supervisors might also have ideas for speakers. Lemke spoke about recent outreach events for current

TIPs (Miller Creek and Potomac Valley). Responding to a question from Hall, he stated that at least 51 % of a landowner's property must be in the TIP boundary to be eligible for funding. Lemke said that adjacent or nearby landowners in areas such as Lower Miller Creek may qualify for the Community Agriculture funding pool if they fall outside the TIP boundary and want to implement conservation practices. Lemke was pleased to report that the Lower Ninemile TIP, with an emphasis on forest health that was put together by Soil Conservationist Sabrina Schuler, has been approved through an expedited process. He stated that they are taking applications for next year's projects at this time.

**310 Emergency Notices** – There were no emergency notices to consider for this meeting.

**Existing 310 Permits** – There were no existing 310 Permits to consider.

### **310 Permit Applications**

**MS-11-23** - Kimberly and Robert Bobber – Swan River – Culvert  
**Geocode:** 04-2992-18-2-01-19-0000

Watkins spoke to Ms. Bobber the week prior to this meeting, reminding her that the District is waiting to receive a bridge design. The Board took no action on this application.

**MS-17-23 (Re: CM-03-23, Violation; Application Tabled 6/12/2023)** – Tyler and Tracy Deeds – Clearwater River – Channel/Bank Projects  
**Geocode:** 04-2540-14-2-02-05-0000

Watkins reported that the Deeds are still waiting to learn what the Missoula County Floodplain Administrator (MCFA) requires so that the CD doesn't permit a project that MCFA doesn't allow. The Board took no action on this tabled application.

**MS-18-23 (Tabled 8/14/2023)** – Montana Rail Link c/o Mike Rahl – Clark Fork River – Channel/Bank Projects  
**Geocode:** N/A

Watkins reviewed the tabled application along with additional photos and descriptions of the work to be done that were recently received from the applicant. Watkins also reviewed an email from the applicant regarding details of a revegetation plan. The Board discussed requiring weed treatment plans; specifically, treating for noxious weeds for three years following implementation of project to ensure that native vegetation could establish, and power washing equipment prior to being brought on the project site.

Robert Schroeder moved to approve Application No. MS-18-23 with the modifications discussed and waiving the 15-day waiting period following the Board's decision. Libby Maclay seconded the motion. The vote was unanimous in favor, and the motion carried; Travis Greenwalt had not arrived prior to the vote on this motion.

- Equipment used in the riparian area shall be washed free of invasive weed seeds;

- All planted vegetation used in restoration shall comply with the MCD survivability standards of at least 75% survivability after one year of planting and at least 50% after two years. Failure to reach the survivability will require additional restoration by the applicant.
- Disturbed riparian areas shall be treated with herbicides to help control weeds, noxious plants, and invasive species for three years after restoration to ensure native vegetation can establish weed free.

**MS-23-23 – (Tabled 8/14/2023) Paul Rossignol – Tributary of East Fork of Graves Creek – Crossings/Roads**  
**Geocode:** 04-2090-17-1-01-01-0000

Watkins reported that he is still waiting to receive a bridge design from the applicant to be able to proceed with this application. The Board took no action on this tabled application.

**MS-24-23 – MPG Ranch c/o Larkin – Miller Creek – Agriculture and Irrigation Projects**  
**Geocode:** 04-2093-35-1-01-01-0000

Watkins reviewed site location slides and photos, as well as the applicant's proposed modification to girdle all the conifer trees except Western larch and ponderosa pine, leaving them as snags with the intent to create more light for the deciduous trees, including recently planted willow and aspen plants over a quarter-mile stretch. Knotek reviewed his team member report (TMR) that recommended approving the application but ensuring that MPG continues monitoring of the site and provides the data to FWP as listed in the application. He also recommended phased-in girdling of the conifer trees to leave some shade. Pencek's TMR also recommended approving the project.

Art Pencek moved to make Application No. MS-24-23 a project for consideration under the 310 Law, to approve the project as proposed, and to waive the 15-day waiting period following the Board's decision. Chairman Hall seconded the motion. The motion carried on a vote of three for and none against; Libby Maclay and Robert Schroeder abstained. Travis Greenwalt had not arrived prior to the vote on this motion.

**MS-25-23 – DARLOA – Clearwater River – Improvement to Existing Structures**  
**Geocode:** 04-2540-15-1-04-29-0000

Watkins presented site location slides, photos from a site visit, and a schematic from the application that proposes adding additional riprap to bridge abutments. R. Schroeder stated he had briefly looked at the site while taking part in the August site inspections at a nearby location. At that time this application was anticipated but had not yet been received. Knotek provided his recommendations also based on previously seeing the site prior to the application that included approving the application with modifications. The Board discussed concerns over how the road appears to drain down along the existing abutments and put sediment directly into the river. There was agreement that this needed to be rectified along with adding protection to the existing abutments.

Art Pencek moved to make Application No. MS-25-23 a project for consideration under the 310 Law and to table the application until a plan including drainage and filtration of road runoff is received for the bridge crossing site. Robert Schroeder seconded the motion. The vote was unanimous in favor, and the motion carried; Travis Greenwalt had not arrived prior to the vote on this motion.

**MS-26-23 – DARLOA – Trail Creek – Improvement to Existing Structures**  
**Geocode:** 04-2540-12-1-02-33-0000

Watkins presented site location slides, photos from a site visit, and a schematic from the application that proposes adding additional riprap to bridge abutments. This application is almost analogous to what was proposed in Application No. MS-25-23. However, this site is better vegetated next to the abutments and drainage and runoff is filtered before it can erode the soil along the abutments.

Art Pencek moved to make Application No. MS-26-23 a project for consideration under the 310 Law, to approve the project as proposed, and to waive the 15-day waiting period following the Board's decision. Paul Parson seconded the motion. The vote was unanimous in favor, and the motion carried; Travis Greenwalt had not arrived prior to the vote on this motion.

**MS-27-23 – David and Jennifer Walrod – Pattee Creek – Channel/Bank Projects**  
**Geocode:** 04-2200-34-3-12-05-0000

Drennan and Watkins presented site location slides and photos from a number of site visits they had conducted along Pattee Creek for the planting native riparian vegetation funded through Drennan's work as a Big Sky Watershed Corps Member (BSWC). Watkins stated that no official site inspections were conducted because he and Drennan spent extensive time with all landowners involved in the BSWC project and only hand tools would be used for these restorations.

In reference to all seven associated 310 Permit applications (MS-27-23 and MS-33-23 thru MS-38-33), the Board briefly discussed the history of 310 Law enforcement on Pattee Creek from Higgins Avenue up to the gravel pit. Little to no enforcement had occurred due to high density of homes in the area and the associated urban landscaping creating an entire neighborhood of 310 Violations. Knotek commented that this reach of Pattee Creek and above is very biologically significant from a native fishery perspective because of almost a pure strain of Westslope cutthroat trout inhabiting the area.

The Board also discussed enforceable buffer zones for this reach deciding that a 10-ft wide buffer zone from the high-water mark was desirable wherever practical noting that there are some permanent developments, such as driveways, located closer to Pattee Creek in this reach. It was agreed that any existing structures should be noted on permit applications to document them. Watkins confirmed that applicants had documented existing structures in the applications.

Drennan reported that the site for application MS-27-23 is located upstream of the grit chamber. The applicant has already stopped mowing next to the creek and has agreed to started to protect the riparian buffer. The proposed native vegetation planting will accelerate the restoration of this area. It was noted that the applicants have a walkway down to the creek, a bridge crossing, and an irrigation pump that pulls from the creek.

Chair Hall motioned to make Application No. MS-27-23 a project for consideration under the 310 Law, to approve the project as proposed, to document the existing walkway, foot bridge crossing, and irrigation pump, and to waive the 15-day waiting period following the Board's decision. Robert Schroeder seconded the motion. The vote was unanimous in favor, and the motion carried; Travis Greenwalt had not arrived prior to the vote on this motion.

**MS-28-23** – Dianne Nagy – Clearwater River – Concrete Patio  
**Geocode:** 04-2540-10-1-02-05-0000

This permit is for the construction of a concrete pad that is already in place. Watkins presented a site location slide and reported that the Missoula County Floodplain Administrator (MCFA) had notified him of a concrete patio recently installed 24-feet from the bank of the Clearwater River. Watkins reviewed photos with measurements he took during a site visit and reviewed the MCFA's email stating they were reviewing the matter to determine whether this action took place within the floodplain or just outside of it. The MCFA noted that it may be able to be permitted if it is barely in the floodplain.

Knotek suggested that if MCFA doesn't require them to remove the pad, that they plant trees and other vegetation to mitigate the action taken without a permit. The Board discussed whether to make the applicant remove the pad they poured without a permit, since they (the Board) would have denied a permit for a concrete pad at that same location. The Board deliberated on whether permitting a pad would create a precedent that would allow other structures to be built this close to the stream.

Travis Greenwalt moved to deny Application No. MS-28-23 for a permanent patio pad within the 50-foot buffer zone of the Clearwater River. Libby Maclay seconded the motion. The motion carried with five votes in favor and one cast against by Robert Schroeder.

Hall stated that denial of the permit would result in determination to remove the pad, requiring a 310 Permit for removal and revegetate the disturbed area.

**MS-29-23** – Nancy Siegel – Rattlesnake Creek – Bank Stabilization  
**Geocode:** 04-2200-14-3-08-03-0000

No was action taken per request of the applicant who wishes to delay the project until spring.

**MS-30-23** – Janice Dersham – Moncure Creek – Channel/Bank Projects  
**Geocode:** 04-2528-17-4-01-04-0000

Watkins presented site location slides and explained this project came about from NRCS Soil Conservationist Sabrina Schuler's discussion with the landowner on the need to obtain a 310 Permit to conduct vegetation clearing within the riparian buffer zone as part of an NRCS contracted EQIP project for forest management. Discussion took place during the site inspection regarding what jurisdiction the District should take since in these instances as the application just dealt with the 10-ft riparian buffer zone.

Pencek, reporting from his TMR, stated that no clearing should occur within 10-ft of the streambank, and that from 10- to 50-ft from the bank, only remove conifers that measure 8" diameter at breast height (DBH) or less. He also recommended leaving all shrubs and deciduous trees within the 50-ft buffer. Knotek stated his TMR concurred with Pencek's.

Watkins recommended that the Board consider changing the District's 310 Law Administrative Rules to state that any project within 50-ft of a stream or river in Missoula Co. requires a 310 Permit and then the Board can decide on a case-by-case basis what is or isn't allowed within that zone.

Art Pencek moved to make Application No. MS-31-23 a project for consideration under the 310 Law, to approve the project with modifications incorporating recommendations from the TMRs, and to waive the

15-day waiting period following the Board's decision. Robert Schroeder seconded the motion. The vote was unanimous in favor, and the motion carried.

- There shall be no removal of any vegetation, no equipment used, or disturbance of any other nature within 10 feet of the ordinary high water mark (OHWM) of the stream (stream's edge);
- No removal of deciduous trees or shrubs within 50 feet from the stream's OHWM;
- Between 10 and 50 feet of the OHWM of the stream, thin only conifers greater than 8" DBH to 14' spacing per NRCS requirements.

**MS-31-23** – Janice Dersham – No Name Creek – Channel/Bank Projects

**Geocode:** 04-2528-17-4-01-01-0000

Watkins presented site location slides and explained that this application is associated with the same NRCS contract as Application MS-30-23 but is located on a different stream.

Paul Parson moved to make Application No. MS-31-23 a project for consideration under the 310 Law, to approve the project with modifications incorporating recommendations from TMRs, and to waive the 15-day waiting period following the Board's decision. Art Pencek seconded the motion. The vote was unanimous in favor, and the motion carried.

- There shall be no removal of any vegetation, no equipment used, or disturbance of any other nature within 10 feet of the ordinary high water mark (OHWM) of the stream (stream's edge);
- No removal of deciduous trees or shrubs within 50 feet from the stream's OHWM;
- Between 10 and 50 feet of the OHWM of the stream, thin only conifers greater than 8" DBH to 14' spacing per NRCS requirements.

**MS-32-23** – Miller obo Burner – Rattlesnake Creek – Tree Removal

**Geocode:** 04-2200-11-3-06-05-0000

Watkins presented site location slides, reviewed photos from the site inspection, and explained that the intent of this project is to remove some dying branches from trees next to Rattlesnake Creek as well as removing non-native shrubs from the understory. Both Pencek and Knotek recommended approval with the requirement of revegetating the area where the shrubs are removed.

Robert Schroeder moved to make Application No. MS-32-23 a project for consideration under the 310 Law, to approve the project with modifications incorporating recommendations from TMRs, and to waive the 15-day waiting period following the Board's decision. Art Pencek seconded the motion. The vote was unanimous in favor, and the motion carried.

- Revegetate areas where shrubs are to be removed with native riparian vegetation.

**MS-33-23** – Brittnie and Dan Keilman – Pattee Creek - Channel/Bank Projects

**Geocode:** 04-2200-34-3-13-15-0000

Drennan reviewed a site location slide as part of the group of applications on Pattee Creek involving hand planting of native riparian vegetation. The applicants have agreed to stop mowing within 10 feet of the

creek, and they will hand plant several plants throughout the project area. There is an existing plank footbridge in the project area.

Chair Hall moved to make Application No. MS-33-23 a project for consideration under the 310 Law, to approve the project as proposed, to document the existing stream crossing, and to waive the 15-day waiting period following the Board's decision. Paul Parson seconded the motion. The vote was unanimous in favor, and the motion carried.

**MS-34-23** – Thula Weisel – Pattee Creek – Channel/Bank Projects  
**Geocode:** 04-2093-04-1-01-03-0000

Drennan reviewed a site location slide and photo from a prior site visit as part of the group of applications on Pattee Creek involving hand planting of native riparian vegetation. There is an existing stream crossing in the project area.

Robert Schroeder moved to make Application No. MS-34-23 a project under consideration under the 310 Law, to approve the project as proposed, to document the existing stream crossing, and to waive the 15-day waiting period following the Board's decision. Art Pencek seconded the motion. The vote was unanimous in favor, and the motion carried.

**MS-35-23** – Alistair and Rebecca MacDonald – Pattee Creek – Channel/Bank Projects  
**Geocode:** 04-2200-34-3-11-05-0000

Drennan reviewed a site location slide and photos from a prior site visit as part of the group of applications on Pattee Creek involving hand planting of native riparian vegetation. There is an existing stream crossing and irrigation pump station in the project area. Drennan also stated that the existing driveway comes within 6-ft of the creek. The applicants have agreed to stop mowing next to the creek and only mow a single mower-width strip along the existing driveway adjacent to the creek.

Chair Hall moved to make Application No. MS-35-23 a project under consideration under the 310 Law, to approve the project as proposed, to document the existing bridge and irrigation pump in the project area, and to waive the 15-day waiting period following the Board's decision. Robert Schroeder seconded the motion. The vote was unanimous in favor, and the motion carried.

**MS-36-23** – Weber Greiser and Mary Langenderfer – Pattee Creek – Channel/Bank Projects  
**Geocode:** 04-2093-02-3-04-01-0000

Drennan presented a site location slide as part of the group of applications on Pattee Creek involving hand planting of native riparian vegetation. The applicants have several existing plank crossings and a portion of their house that comes very close to the creek having stated that the basement occasionally floods.

Paul Parson moved to make Application No. MS-36-23 a project for consideration under the 310 Law, to approve the project as proposed, to document the existing plank crossings and portion of the house that comes close to Pattee Creek, and to waive the 15-day waiting period following the Board's decision. Robert Shroeder seconded the motion. The vote was unanimous in favor, and the motion carried.

**MS-37-23** – Phil Hamilton and Janet Whaley – Pattee Creek – Channel/Bank Projects  
**Geocode:** 04-2093-04-1-01-18-0000

Drennan reviewed a site location slide and photos from a prior site visit as part of the group of applications on Pattee Creek involving hand planting of native riparian vegetation.

Chair Hall moved to make Application No. MS-37-23 a project for consideration under the 310 Law, to approve the project as proposed, and to waive the 15-day waiting period following the Board's decision. Paul Parson seconded the motion. The vote was unanimous in favor, and the motion carried.

**MS-38-23** – George King and Anne Ziegler – Pattee Creek – Channel/Bank Projects  
**Geocode:** 04-2200-34-3-12-04-0000

Drennan presented a site location slide as part of the group of applications on Pattee Creek involving hand planting of native riparian vegetation. She reported that the applicant has agreed to stop mowing within the riparian buffer. There is also an existing bridge in the project area.

Chair Hall moved to make Application No. MS-38-23 a project for consideration under the 310 Law, to approve the project as proposed, to document the existing stream crossing, and to waive the 15-day waiting period following the Board's decision. Robert Schroedr seconded the motion. The vote was unanimous in favor, and the motion carried.

### **310 Complaints**

**CM-07-23** – Kathy and Bruce Graham – Clearwater River – Vegetation Removal  
**Geocode:** 04-2540-14-2-02-01-0000

Watkins stated there is nothing new to report as the owners have not responded to the complaint letter.

### **Existing Violations**

**CM-03-22 (Re: MS-22-22)** – Justin Turley – Lolo Creek – Vegetation Removal  
**Geocode:** 04-2092-35-3-02-05-0000

Watkins reported that John Hart contacted Turley by phone to discuss the violation. Turley then contacted Watkins, who will meet with him on September 12<sup>th</sup> to review the completed work.

**CM-10-22** – John Gardner – Grant Creek – Vegetation Removal  
**Geocode:** 04-2326-10-3-03-01-0000

Watkins stated that he would visit this site to confirm the landowner had stopped mowing.

**CM-03-23 (Re: MS-17-23)** – Tyler and Tracy Deeds – Clearwater River – Vegetation Removal  
**Geocode:** 04-2540-14-2-02-05-0000

See discussion above under Permit Application No. MS-17-23.

**CM-05-23** – David and Lori Rath –Lolo Creek – Stream Excavation  
**Geocode:** 04-1972-05-1-01-03-0000

Watkins reported that Mr. Rath submitted a 310 Application after the agenda deadline; the application will be on next month’s agenda. Watkins mentioned that additional information may be required to consider it a complete application.

**CM-08-23** – Cristina and Dennis Green – Miller Creek – Vegetation Removal  
**Geocode:** 04-2093-21-3-04-07-0000

Watkins stated that it appears that the Greens are still mowing. He will follow up with them.

**CM-09-23** – McCullough Brothers Inc. – Miller Creek – Vegetation Removal  
**Geocode:** 04-2093-19-1-01-01-0000

Watkins stated that he would conduct a follow-up site visit.

**310 Inquiries & Issues** – Watkins presented location slides of a site on Grant Creek where three properties participated in a Bitter Root RC&D project funded through DNRC for forest fuels reduction. He showed photos from a site visit with Knotek and Pencek on September 7, 2023. The photos depicted extreme removal of understory vegetation near the creek down to mineral soil. Watkins stated that it is difficult to determine what entity to hold accountable given that a DNRC Forester familiar with the 310 Law had flagged a very narrow riparian zone on the properties for the contractor. Additionally, the contractor hired by Bitter Root RC&D were told they were fine given they were operating under the Streamside Management Zone (SMZ) Law. Knotek stated that this work violates DNRC policy for their own lands, so it is confusing as to why and how DNRC or a contractor would have done work like this.

The Board agreed that the removal of this much vegetation near the creek constitutes a violation of the 310 Law and directed staff to arrange a meeting with personal from Bitter Root RC&D, the DNRC Forestry Division to inform them that this isn’t acceptable; FWP should be involved in this meeting as well. Knotek stated that it would be valuable to know how many more properties this kind of work has occurred on and on how many more it is planned. Concern was expressed over having corrective measures implemented yet this fall before snowfall and spring runoff further impacts the site. It was mentioned that the clearing of so much vegetation near the creek may also constitute a floodplain violation.

## Reports

County Attorney Report – John Hart stated he did not have a report this month. He stated that a question arose at a recent meeting regarding 310 Law District jurisdiction versus the City of Missoula’s permitting jurisdiction. The Board and staff provided a brief history of the 1946 City Limits of Missoula and how they are outside of the District boundary and, therefore, exempt from the District’s 310 Law jurisdiction.

Montana FWP – Knotek reported that the FWP is working to streamline the permit process for beaver pond levelers, with the condition that this type of project falls under the Clark Fork Coalition’s guidelines for hand work only. He stated that FWP plans to issue a standard programmatic permit for this type of

work so that they can avoid going through the Environmental Assessment and public notice process for each separate project. Knotek articulated that the stipulations include that the work must be done by hand, the structure must be removed over winter if it is not to be maintained, fish must be able to pass through mesh holes on the cages, and that FWP must be notified about the project prior to it taking place. The Board noted the District has previously allowed this kind of programmatic permitting with Plum Creek and their standard culvert crossings. Knotek will provide a copy of the FWP provisions for the Board to review.

DNRC Conservation District Bureau – Catey Bauer, the new CD Specialist for western Montana CDs, introduced herself. She took over the position from Haily Graf who is now the statewide Stream Permitting Coordinator. Bauer shared that she has been on the job for two weeks and that this was her first CD meeting. She had previously worked for the Rocky Mountain Elk Foundation.

Chair Hall recapped the CDB Funding Forum that took place on at the Great Burn Brewing Company. Supervisors and staff from several area CDs took part. The Board appreciated the presentation that Hailey Graf and Rebecca Boslough-King put together.

Bitter Root RC&D – Libby Maclay reported that no meeting had taken place last month. She will follow up with Pam Gouse regarding the issue brought up during 310 Inquiries and Issues earlier in the meeting.

Dept. of Ecology and Extension/Weed District/New Building – Watkins reported that staff will begin moving items to the new office space later in the week.

Watershed Groups – Watkins reminded the Board that the CD is a voting member of the Grant Creek Working Group that has been facilitated by the Clark Fork Coalition (CFC). Vogt and Watkins reported on working with CFC to develop cohesive vision for the watershed. Vogt informed the Board of an opportunity to apply for a CDB Planning Grant to develop a lower Grant Creek Conceptual Designs. The Board directed staff to proceed in pursuing this grant that will be presented to the Grants Committee prior to the October Board meeting.

Planning Board Update – Josh Schroeder was absent but had submitted a report. Skovlin will send it out to the Board.

Water Quality District – Chair Hall noted that the Water Quality District is going to partner with Home ReSource, which will serve as a location where citizens can drop off hazardous materials any day of the year, and that the Missoula City-County Health Department will provide staff to process these materials.

District Committees – The Budget Committee met to review a draft fiscal year 2024 (FY24) budget, which will be considered later on the agenda for approval from the full Board.

Missoula CD Employees – Written reports were included in the Supervisor's packets.

Middle Clark Fork Corridor Project (PIFR) – Watkins reviewed an email from Amanda Schroeder with Farmer's Conservation Alliance with the Board on next steps to move this project forward. The Board discussed some aspects and responsibilities within the proposed contract. They agreed that a meeting with Grass Valley Irrigation District would be prudent to determine if they have the required matching funds if their portion of the project was to advance. It was also suggested that staff contact all identified partners to

determine if they would have matching funds identified in the PIFR. The Board opted to table further discussion until the next meeting, where they could then learn of outcomes of meetings with NRCS and other partners.

Other Reports – No other reports were presented.

## **New Business**

MCDEO Statewide Employee Training – Skovlin reported that this was a worthwhile training, during which she learned useful and relevant information.

MCDEO Area 5 Meeting – Staff will not be attending this meeting due to time constraints and other current priorities.

MACD Area 5 Meeting – Robert Schroeder will attend on behalf of the Supervisors; staff was directed to determine who among them will be attending.

Community Food and Agriculture Coalition (CFAC) Tool Library - Watkins presented the idea of partnering with CFAC to establish an agricultural tool and equipment library, of which the District's no-till drill could be a part. He mentioned that other CDs across the nation have tool libraries. The Board asked for clarification on costs, benefits to constituents, and liability. They were interested in learning more about the idea and supported staff in pursuing this endeavor.

October Meeting Date – Given that Monday, October 9<sup>th</sup>, is a holiday, the Board stated it will have the next meeting on Tuesday, October 10<sup>th</sup>. Pencek stated he will be absent for the October meeting. Parson said he may be gone as well.

Correspondence and Upcoming Events – These were included in Supervisor packets.

Site Inspections Scheduling – Site inspections were scheduled for October 5<sup>th</sup>.

## Programs

### Grants Program

MCD Grants – Vogt reported on roll out of FY 24 program with the same offerings as last year with minor modifications as to how and when certain grants will be offered and accepted. Mini grants will have a rolling deadline and be considered monthly. Larger grants will have biannual applications.

CEdMG-01-24 Julia Drennan – Vogt reported on the application Drennan submitted. Drennan described the Montana Environmental Education Association Conference she would like to attend in Billings and why it was relevant to her current position and intended career track.

Libby Maclay moved to award Continuing Education Mini grant CEdMG-01-24 in the amount \$500 to Julia Drennan. Art Pencek seconded the motion. The vote was unanimous in favor, and the motion carried.

Sponsored Grants:

Grant Creek Conceptual Design – As discussed under Watershed Group Reports, the Board directed staff to proceed with developing a CDB Planning Grant for Lower Grant Creek Conceptual Designs in partnership with the Clark Fork Coalition. Vogt informed the Board that this application will need to be approved at the October meeting since the DNRC application deadline is October 15<sup>th</sup>.

Pollinator Grant – Vogt reviewed that Lake Co. CD had previously applied for and received a CDB Pollinator Grant on behalf of Area 5. Vogt asked the Board if they were interested in pursuing funding for pollinator seed for Area 5 or possibly just for Missoula CD. The Board supported researching interest from other Districts in Area 5 before pursuing such a grant. Vogt reminded the Board that the application deadline for this grant is October 15<sup>th</sup>.

DNRC Education Mini-Grant – Vogt reminded the Board that he would be working to develop a multi-year grant application to partner with and assist MCDEE's Youth Education Programs related to noxious weeds.

Equipment Program – Vogt reported that since the August Board meeting there have been four no-till drill rentals, bringing the 2023 yearly total to 18 rentals (11 in Missoula Co.; 7 in Ravalli Co.), 28 rental days, and approximately 218 acres seeded. Vogt informed the Board that beginning September 18<sup>th</sup>, Missoula Parks & Rec will rent the drill to seed 20 acres of reclaimed area at the Fort Missoula Ponds that they acquired from Knife River. There is also one mid-October reservation scheduled. Vogt mentioned that he has started an accounting of expenses and time for no-till drill maintenance and repairs based on direction from last month's meeting and that he will present these figures in the near future.

Pollinator Program/MTNSN – Vogt presented photos that Michael Butts provided showing a deer-proof fence that has been constructed around the pollinator meadow and foundation field at the MTNSN site. Vogt also shared a few photos of pollinator plot plantings on his property noting that the 2023 seed did not produce as robust a germination and growing success as did seed from 2020.

Wildlife Damage & Habitat Conservation Program – Watkins reported that there are meetings coming up later in September to consider the Bear Smart ordinances. Chair Hall mentioned that residents of Potomac requested of the County to be added to the Bear Smart boundary, to be designated a Bear Smart Community, and to receive bearproof trash containers and dumpsters.

Urban & Small Agriculture Program – Watkins reported that another meeting of this group is taking place on Wednesday the 13<sup>th</sup> of September. He stated that the public and participants appreciate these meetings.

310 Program

BSWC Update – Drennan had reported on her upcoming Pattee Creek project during the 310 Permit portion of the meeting. She also informed the Board that she tabled at Clark Fork Market on Saturday.

Violations on Blackfoot and Clark Fork Rivers – Watkins reported that on floats of the Clark Fork River with Hall and Knotek, and a float on the Blackfoot River from Johnsrud Park to Weigh Station with Drennan, that they collectively discovered upwards of 23 violations. He suggested initially sending letters

encouraging landowners to stop practices, rather than opening official complaint files. Watkins et al. observed, among other practices, removal of vegetation and retaining walls.

Other New Business – No other new business was presented.

**Old Business**

FY24 Budget – Watkins briefly reviewed figures contained in the proposed fiscal year 2024 (FY24) Budget that was reviewed and recommended by the Budget Committee for approval.

Paul Parson moved to approved FY2024 Budget as recommended and presented by the Budget Committee. Travis Greenwalt seconded the motion. The vote was unanimous in favor, and the motion passed.

Other Old Business – Chair Hall thanked staff and Travis Greenwalt for buying and delivering a condolence bouquet to Judy Ramberg, spouse of former CD Board member Dick Ramberg.

**Payment of Bills and Claims**

Chair Hall moved to pay the September bills and claims. Libby Maclay seconded the motion. The vote was unanimous in favor, and the motion passed.

**Checking Account**

Date	Description	Charge	Deposit	Balance
	Balance from August meeting			\$26,324.10
8/10/2023	C. Cote: 1-day drill rental + deposit via Square POS		\$650.00	\$26,974.10
8/10/2023	Square POS transaction fee	(\$17.00)		\$26,957.10
8/14/2023	Lake Co CD: Pollinator Initiative Seed contribution	(\$156.85)		\$26,800.25
8/14/2023	Bridger PMC c/o MACD: OpMG-04-23	(\$100.00)		\$26,700.25
8/14/2023	Refund of C. Cote drill rental deposit via Square POS	(\$500.00)		\$26,200.25
8/17/2023	A. Scheible: 2-day drill rental + deposit via Square POS		\$800.00	\$27,000.25
8/17/2023	Square POS transaction fee	(\$20.90)		\$26,979.35
8/21/2023	Wind River Bear Institute: ICG-1-23 award payment	(\$9,000.00)		\$17,979.35
8/22/2023	Refund of Scheible deposit - 2 additional rental days	(\$200.00)		\$17,779.35
8/31/2023	MACD Grant award: BSWC Assistance		\$7,000.00	\$24,779.35
9/1/2023	DNRC 310 Admin Grant award		\$6,200.00	\$30,979.35
9/1/2023	J. Baker: 2-day drill rental payment via Square POS		\$300.00	\$31,279.35
9/1/2023	Square POS transaction fee	(\$7.90)		\$31,271.45
9/6/2023	R. Kubiak: 4-day drill rental + deposit via check		\$1,100.00	\$32,371.45
	<b>Totals</b>	<b>(\$10,002.65)</b>	<b>\$16,050.00</b>	
	<b>NET TOTAL</b>	<b>\$6,047.35</b>		

**Petty Checking Account**

Date	Description	Charge	Deposit	Balance
	Balance from August meeting			\$1,717.98
8/16/2023	Montana Club: August Board meeting meal	(\$134.76)		\$1,583.22
8/17/2023	onXmaps: annual subscription on Watkins work cell	(\$29.99)		\$1,553.23
8/18/2023	Albertsons: Sheet of postage stamps for BSWC mailing	(\$39.60)		\$1,513.63
8/18/2023	USPS: 2 rolls of First Class Forever stamps	(\$135.99)		\$1,377.64
8/18/2023	Staples: labels	(\$14.99)		\$1,362.65
8/21/2023	Refund: Two Men and a Truck Deposit		\$242.00	\$1,604.65
8/24/2023	Walmart: Supplies for Miller Creek public meeting	(\$14.94)		\$1,589.71
8/25/2023	Albertsons: supplies	(\$24.66)		\$1,565.05
8/28/2023	Bitterroot Flower: Dick Ramberg memorial flowers	(\$100.00)		\$1,465.05
8/30/2023	Missoulian: monthly online subscription	(\$18.99)		\$1,446.06
8/31/2023	Zoom: monthly subscription	(\$33.18)		\$1,412.88
9/3/2023	Costco: supplies/refreshments for monthly meetings	(\$19.99)		\$1,392.89
9/5/2023	Staples: office supplies	(\$28.28)		\$1,364.61
9/5/2023	Worden's Deli: sandwiches for Budget Committee mtg	(\$48.00)		\$1,316.61
9/5/2023	City of Missoula: parking	(\$2.00)		\$1,314.61
	<b>Totals</b>	<b>(\$645.37)</b>	<b>\$242.00</b>	
	<b>NET TOTAL</b>	<b>(\$403.37)</b>		

**Savings Account**

Date	Description	Charge	Deposit	Balance
	Balance from August meeting			\$58,472.31
8/31/2023	Interest		\$3.98	\$58,476.29
	<b>Totals</b>	<b>\$0.00</b>	<b>\$3.98</b>	
	<b>NET TOTAL</b>	<b>\$3.98</b>		

**DA Davidson Account**

	Balance from July meeting			\$192,905.31
8/31/2023	Change in account value	(\$877.90)		\$192,027.41
	<b>Totals</b>	<b>(\$877.90)</b>	<b>\$0.00</b>	
	<b>NET TOTAL</b>	<b>(\$877.90)</b>		

**Tax Mill Levy Account (Warrants/Claims)**

8/11/2023	Pay Period 15 entry correction in QuickBooks	(\$155.32)		\$439,070.02
8/14/2023	Verizon Wireless: District cell phones	(\$104.52)		\$438,965.50
8/14/2023	Charter Spectrum: District internet	(\$109.99)		\$438,855.51
8/14/2023	Truax: no-till drill parts	(\$303.65)		\$438,551.86
8/14/2023	NACD: 2023 Annual Membership contribution	(\$100.00)		\$438,451.86
8/14/2023	Glatfelter c/o M&T Bank: FY24 Liability Premium	(\$5,563.00)		\$432,888.86
8/14/2023	Truax: no-till drill parts	(\$71.78)		\$432,817.08
8/14/2023	Big Bear Sign Co: MCD Logo stickers	(\$75.00)		\$432,742.08
8/14/2023	Rad Watkins: Travel reimbursement/Rosgen training	(\$441.10)		\$432,300.98
8/25/2023	Pay Period 17	(\$8,399.69)		\$423,901.29
9/8/2023	Pay Period 18	(\$8,471.52)		\$415,429.77
	<b>Totals</b>	<b>(\$23,795.57)</b>	<b>\$6,308.60</b>	
	<b>NET TOTAL</b>	<b>(\$17,486.97)</b>		

**Adjournment**

Chair Hall moved to adjourn the meeting at 11:45 pm. Libby Maclay seconded the motion. The vote was unanimous in favor, and the motion carried.

<b>Voting Record – CD Supervisor</b>	<b>IN FAVOR</b>	<b>OPPOSED</b>	<b>ABSTAIN</b>
Tim Hall	20	-	-
Libby Maclay	19	-	1
Travis Greenwalt – joined at 8:20 pm	16	-	-
Paul Parson	20	-	-
Art Pencek	20	-	-
Robert Schroeder	18	1	1
Sidney Wills – Absent	-	-	-

## **Missoula CD Employee Report: August 11 – September 11, 2023**

### **Julia Drennan, Big Sky Watershed Corps member**

#### Office Administration:

- Participated in weekly staff meetings with Skovlin, Vogt, and Watkins
- Answered office phone and directed callers to correct person/agency
- Created and posted 2 photos and informational posts on Instagram
- Assisted Skovlin, Vogt, and Watkins in preparation for the monthly Board of Supervisors meeting
- Received ID badge for new building access

#### Program Assistance:

- Tabled at the Western Montana Fair with Skovlin and discussed the pollinator initiative, general riparian health, and Bear Smart activities
- Conducted site visits on the Lower Blackfoot River with Watkins and Sabrina Schuler in response to potential 310 violation reports
- Met with 6 landowners on Pattee Creek
- Assisted landowner with filling out 310 application
- Conducted site visit of 310 complaint in Alberton with Watkins
- Attended Miller Creek Open House with Watkins, Schuler, and Travis Lemke
- Attended Grant Creek Working Group meeting with Watkins
- Conducted site visit for prospective 310 permit on Grant Creek with Watkins
- Conducted site visit for potential 310 violation on Grant Creek with Watkins
- Corresponded with various Pattee Creek landowners
- Corresponded with Great Bear Nursery and ordered plants for Pattee Creek
- Compiled list of tools and supplies needed to facilitate Pattee Creek planting
- Reached out to BSWC and MCC members for volunteers
- Corresponded with MACD employees regarding grant signage
- Corresponded with Lyndsey Holloway regarding Pattee Creek

#### BSWC Programming/Events:

- Submitted biweekly time sheets
- Attended monthly check-in with Team Leader Jae
- Submitted August July monthly bundle reports
- Attended member monthly call

***Sonja Skovlin, Outreach and Office Coordinator***

Office Operations:

- Checked District's general email and QuickBooks accounts daily; received/distributed agency mail daily
- With input from Vogt and Watkins,
  - Prepared agenda, minutes, and financial report for monthly meeting packet
  - Sent agenda to the county for public posting; sent agenda, draft minutes, and Supervisor packets to Supervisors; sent agenda, July approved minutes, and August draft minutes to partners; posted agenda & approved minutes on the CD website; sent Zoom links to Supervisors, partners, and applicants/invitees
  - Put together meeting packets for monthly Board meeting
  - Set up conference room for meeting
- Answered then transferred 310 inquiry calls to Watkins, and no-till drill inquiry calls to Vogt;
- Participated in staff meetings, preparing and distributing relevant documents at beginning of or during meeting

Stream Permit Processing:

- Processed **15** 310 Permit Applications
- With Watkins, prepared 310 Permit letters and mailed them to applicants; updated 310 folders (physical and electronic) with appropriate documentation
- Communicated via email with Supervisors/Watkins regarding site inspection opportunities
- Prepared 310 site inspection folders for Supervisor, FWP personnel

Bookkeeping/Accounting

- With input from Vogt:
  - Reconciled First Security Bank accounts (3) and DA Davidson account in QuickBooks.
  - Prepared monthly claims and updated quarterly Supervisors' reimbursement claims
- Updated information on transactions for checking and petty cash accounts in QuickBooks
- Organized and filed reconciliation and bank statements

Special Assignments:

- Email communication between Bryce Christiaens, Sean Chandler, Wes from Missoula's Office City, and Watkins regarding logistics of moving to the new office building
- Called Two Men and a Truck moving company to cancel reservation for them to move file cabinets and boxes in latter half of August as moving date has been tabled several times
- Visited new office space with Watkins to further consider layout and design of office furniture and file cabinets
- Attended CD Funding Forum on August 17
- Traveled to Fort Peck for MCDEO SET August 27-29

*1 Holiday – 6 hours*

***Bryan Vogt - Program Specialist***

Office Administration:

- Assisted in taking notes at the June 13<sup>th</sup> Board meeting; reviewed minutes prepared by Skovlin
- As requested, assisted Skovlin with minor financial questions
- With Watkins, met with County IS representative to switch cell phones to county system

Program Assistance:

- Attended local DNRC Conservation Districts Funding Forum
- Grant Creek Working Group:
  - With Watkins, participated in grant development planning call with W. McDowell of CFC
- Grants Program:
  - Corresponded with Watkins and Grants Committee on proposed changes for the FY24 Grants Program
  - Updated grant application forms and website for FY 24 MCD Grants Program
  - Reviewed recently updated DNRC Conservation District Grant Guidelines
  - 23G-21-3694 Rocky Mtn Gardens & Exploration Center – Greenhouse Construction:
    - Review materials in preparation for reporting
  - 23G-22-3705 Clearwater High Priority Water Quality Monitoring:
    - Received updated final report from CRC required within grant agreement contract
  - 23G-22-3734 Local TIP Support & Area 5 Training:
    - Completed progress report and submitted to DNRC
  - CEG-02-22 Highlander Grant Creek Bank Stabilization
    - Reviewed and provided feedback on proposed educational sign language
  - ECS-02-22 Missoula Bear Smart:
    - Developed grant contract and sent to recipient for signature
  - EdMG-01-23 Regenerative Farming Big Sky HS
    - Correspondence with grantee and Grants Committee regarding use of remaining funds
  - ICG-01-23 Mapping Human-Bear Conflicts & Efficacy of Prevention Efforts:
    - Confirm delivery of grant payment
  - RPG-01-23 Siegel Rattlesnake Creek:
    - Developed grant contract and send to recipient for signature
- Pollinator Program:
  - Discussion of 2024 Program and possibility of obtaining DNRC funds to provide Area 5 Pollinator Seed to other CDs

Technical Assignments:

- No-Till Drill equipment rental program:
  - 4 rentals; multiple inquiry calls and emails
  - Addressed situation with late fees and cleaning fees with a dissatisfied renter

Communication and Outreach:

- With Watkins, participated in planning meeting with CFAC regarding development of their Tool Library and discussion of partnering on this effort

- Provided Bitterroot CD requested information on MCD's drill rental program and figures for how much it gets used in Ravalli County

*1 Holiday– Labor Day; Vacation Leave – 3 days; Sick Leave – 2.5 hrs*

***Radley Watkins, Executive Director***

Office Administration:

- Coordinated the August District Board meeting
- Reviewed/edited/approved draft September meeting minutes
- Approved and submitted staff timesheets to County payroll and entered payroll in Quick Books
- Conducted weekly staff meetings, and updated Chairman Hall periodically
- With staff, drafted and approved agenda for September District meeting
- Created Zoom Link for May Supervisor meeting and past to Skovlin
- Wrote Chairman update for September meeting
- Reviewed Vogt's, Drennan's and Skovlin's work, including Employee Reports, invitee list, upcoming events, Instagram posts and more
- Worked on phone conversions with Vogt and Rob Burgan, Missoula County Telephony Systems Manager
- Participated in two new building walk throughs
- Dealt with angry No-till-drill customer to resolve issues

310 Law Administration:

- Followed up on 310 actions taken at August District Board meeting by writing and sending letters
- 
- Reviewed and processed new 310 application
- Conducted one (5) site visit in Miller Creek and one (1) up the Nine Mile
- Conducted three (3) site inspections with Supervisor Pencheck and Knotek
- Conducted Black Foot River violation float and identified twenty three (23) new potential violations.
- Hosted Miller Creek Open House, and met with 23 landowners to discuss restoration
- Followed up with Rath on his violation

Program Management:

- Attended Grant Creek Working Group
- Met with Western Montana Grazing and Ag Conference planning committee
- Met with Budget Committee to get FY24 preliminary approved
- Corresponded with Watkins of Big Sky High School to coordinate participation in Grass Valley Farms field trip
- Reviewed the Farmers Conservation Alliance alternatives for the PL566 Preliminary Investigation Feasibility Report (PIFR) – Middle Clark Fork Corridor Project

Minutes  
Missoula Conservation District  
September 11, 2023

- Reviewed and commented on new County Health Code ordinance changes designed to deter bear habituation and attended Bear Smart Working Group meeting
- With NRCS partners attended community agriculture working group at Blue Mountain Flowers
- Met with Bryce Christiaens, Director, Missoula County Ecology & Extension (MCDEE) to continue to develop partnering opportunities
- Worked with Natalie from On Course Equine Nutrition to discuss hosting a Horses for Clean Water workshop in Missoula

*\*8 hr Holiday Pay, 2 hr Sick Leave, 2.5 hours teleworking (Zoom Meeting and Budget Edits)*

The next Missoula Conservation District meeting is scheduled for **Tuesday, October 10th, 2023 at 7:00 p.m** in the Gerald W. Marks Exploration Center, 1101 South Avenue West, Missoula, MT, 59801. A virtual option will also be offered.

APPROVED